

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

EKATERINA KONDRASHEVA, as Special)	
Administrator of the Estate of)	
ANASTASIA KONDRASHEVA, Deceased,)	
)	
Plaintiff,)	
v.)	No.
)	
ENGLER, MEIER & JUSTUS, INC. d/b/a)	
WESTMONT INTERIOR SUPPLY HOUSE,)	
and ANDRE J. SANDERS)	
)	
Defendant.)	Plaintiff demands a trial by jury.

COMPLAINT AT LAW

**COUNT I – WRONGFUL DEATH – ENGLER, MEIER & JUSTUS, INC. d/b/a
WESTMONT INTERIOR SUPPLY HOUSE**

Plaintiff, EKATERINA KONDRASHEVA, as Special Administrator of the Estate of ANASTASIA KONDRASHEVA, Deceased, by and through her attorneys CLIFFORD LAW OFFICES, P.C., complaining of Defendant ENGLER, MEIER & JUSTUS, INC. d/b/a WESTMONT INTERIOR SUPPLY HOUSE (hereinafter “WESTMONT INTERIOR SUPPLY HOUSE”), states as follows:

1. On September 26, 2016, Damen Avenue was a public roadway running in a general north and south direction at or near its intersection with Addison Street in the City of Chicago, County of Cook and State of Illinois.
2. On and before September 26, 2016, on Damen Avenue there was a marked shared bicycle lane.

3. On September 26, 2016, Addison Street was a public roadway running in a general east and west direction at or near its intersection with Damen Avenue in the City of Chicago, County of Cook and State of Illinois.

4. On September 26, 2016, at approximately 7:50 a.m., Defendant, WESTMONT INTERIOR SUPPLY HOUSE, owned a flatbed truck traveling in a northbound direction on Damen Avenue at its intersection with Addison Street.

5. On September 26, 2016, at approximately 7:50 a.m., Defendant, WESTMONT INTERIOR SUPPLY HOUSE, Individually and by and through its employee and/or agent, ANDRE J. SANDERS, operated a flatbed truck traveling in a northbound direction on Damen Avenue at its intersection with Addison Street.

6. On September 26, 2016, at approximately 7:50 a.m., Defendant, WESTMONT INTERIOR SUPPLY HOUSE, Individually and by and through its employee and/or agent, ANDRE J. SANDERS, maintained a flatbed truck traveling in a northbound direction on Damen Avenue at its intersection with Addison Street.

7. On September 26, 2016, at approximately 7:50 a.m., Defendant, WESTMONT INTERIOR SUPPLY HOUSE, Individually and by and through its employee and/or agent, ANDRE J. SANDERS, managed a flatbed truck traveling in a northbound direction on Damen Avenue at its intersection with Addison Street.

8. On September 26, 2016, at approximately 7:50 a.m., Defendant, WESTMONT INTERIOR SUPPLY HOUSE, Individually and by and through its employee and/or agent, ANDRE J. SANDERS, controlled a flatbed truck traveling in a northbound direction on Damen Avenue at its intersection with Addison Street.

9. On September 26, 2016, at approximately 7:50 a.m., Plaintiff's decedent, ANASTASIA KONDRASHEVA, was riding her bicycle northbound on Damen Avenue at its intersection with Addison Street in the City of Chicago, County of Cook and State of Illinois.

10. On September 26, 2016, Defendant, WESTMONT INTERIOR SUPPLY HOUSE, owed Plaintiff's decedent, ANASTASIA KONDRASHEVA, a duty to exercise reasonable care when owning, operating, managing, maintaining and controlling its vehicle.

11. On September 26, 2016, at approximately 7:50 a.m., the aforesaid employee and/or agent, ANDRE J. SANDERS, of Defendant, WESTMONT INTERIOR SUPPLY HOUSE, executed a right hand turn from northbound Damen Avenue onto Addison Street and struck Plaintiff's decedent, ANASTASIA KONDRASHEVA, while she was riding her bicycle northbound on Damen Avenue.

12. At the aforementioned time and place, Defendant, WESTMONT INTERIOR SUPPLY HOUSE, Individually and by and through its agent and/or employee, ANDRE J. SANDERS, was negligent in one or more of the following respects:

- a. Proceeded at a speed which was greater than reasonable and proper with regard to traffic conditions and the use of the highway, or which endangered the safety of persons or property, in violation of 625 ILCS 5/11-601;
- b. Failed to decrease speed when approaching and crossing an intersection, in violation of 625 ILCS 5/11-601;
- c. Failed to exercise due care to avoid colliding with a pedestrian or person operating a bicycle in violation of 625 ILCS 5/11-1003.1;
- d. Failed to give warning by sounding the warn when necessary in violation of 625 ILCS 5/11-1003.1;
- e. Operated its motor vehicle without keeping a proper and sufficient lookout;

- f. Turned right in front of a bicycle before its vehicle had overtaken and was safely clear of the bicycle, in violation of MCC 9-16-020; and
- g. Failed to give audible warning with its horn when such warning was reasonably necessary to insure safety, in violation of 625 ILCS 5/12-601.

13. As a direct and proximate result of one or more of the foregoing negligent acts and/or omissions, Plaintiff's decedent, ANASTASIA KONDRASHEVA, sustained injuries resulting in her death on September 26, 2016.

14. Plaintiff EKATERINA KONDRASHEVA is the duly appointed Special Administrator of the Estate of ANASTASIA KONDRASHEVA, Deceased, and brings this action pursuant to the Wrongful Death Act of the State of Illinois, 740 ILCS 180/1 et seq.

15. Plaintiff's decedent ANASTASIA KONDRASHEVA left surviving her EKATERINA KONDRASHEVA, her mother, SERGEY KONDRASHEV, her father, DMITRIY KONDRASHEV, her minor brother, and MARIA KONDRASHEVA, her minor sister, all who have sustained losses as a result of the death of ANASTASIA KONDRASHEVA, including, but not limited to, loss of companionship, guidance, society, affection, grief, and sorrow.

WHEREFORE, Plaintiff, EKATERINA KONDRASHEVA, as Special Administrator of the Estate of ANASTASIA KONDRASHEVA, Deceased, demands judgment against Defendant, WESTMONT INTERIOR SUPPLY HOUSE, for a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

COUNT II – WRONGFUL DEATH – ANDRE J. SANDERS

Plaintiff, EKATERINA KONDRASHEVA, as Special Administrator of the Estate of ANASTASIA KONDRASHEVA, Deceased, by and through her attorneys CLIFFORD LAW

OFFICES, P.C., complaining of Defendant ANDRE J. SANDERS (hereinafter “SANDERS”), states as follows:

3. On September 26, 2016, Damen Avenue was a public roadway running in a general north and south direction at or near its intersection with Addison Street in the City of Chicago, County of Cook and State of Illinois.

4. On and before September 26, 2016, on Damen Avenue there was a marked shared bicycle lane.

3. On September 26, 2016, Addison Street was a public roadway running in a general east and west direction at or near its intersection with Damen Avenue in the City of Chicago, County of Cook and State of Illinois.

4. On September 26, 2016, at approximately 7:50 a.m., Defendant, WESTMONT INTERIOR SUPPLY HOUSE, owned a flatbed truck traveling in a northbound direction on Damen Avenue at its intersection with Addison Street.

5. On September 26, 2016, at approximately 7:50 a.m., Defendant, ANDRE J. SANDERS, operated a flatbed truck traveling in a northbound direction on Damen Avenue at its intersection with Addison Street.

6. On September 26, 2016, at approximately 7:50 a.m., Defendant, ANDRE J. SANDERS, maintained a flatbed truck traveling in a northbound direction on Damen Avenue at its intersection with Addison Street.

7. On September 26, 2016, at approximately 7:50 a.m., ANDRE J. SANDERS, managed a flatbed truck traveling in a northbound direction on Damen Avenue at its intersection with Addison Street.

8. On September 26, 2016, at approximately 7:50 a.m., Defendant, ANDRE J. SANDERS, controlled a flatbed truck traveling in a northbound direction on Damen Avenue at its intersection with Addison Street.

9. On September 26, 2016, at approximately 7:50 a.m., Plaintiff's decedent, ANASTASIA KONDRASHEVA, was riding her bicycle northbound on Damen Avenue at its intersection with Addison Street in the City of Chicago, County of Cook and State of Illinois.

10. On September 26, 2016, Defendant, ANDRE J. SANDERS, owed Plaintiff's decedent, ANASTASIA KONDRASHEVA, a duty to exercise reasonable care when owning, operating, managing, maintaining and controlling its vehicle.

11. On September 26, 2016, at approximately 7:50 a.m., the aforesaid ANDRE J. SANDERS, executed a right hand turn from northbound Damen Avenue onto Addison Street and struck Plaintiff's decedent, ANASTASIA KONDRASHEVA, while she was riding her bicycle northbound on Damen Avenue.

12. At the aforementioned time and place, Defendant, ANDRE J. SANDERS, was negligent in one or more of the following respects:

- a. Proceeded at a speed which was greater than reasonable and proper with regard to traffic conditions and the use of the highway, or which endangered the safety of persons or property, in violation of 625 ILCS 5/11-601;
- b. Failed to decrease speed when approaching and crossing an intersection, in violation of 625 ILCS 5/11-601;
- c. Failed to exercise due care to avoid colliding with a pedestrian or person operating a bicycle in violation of 625 ILCS 5/11-1003.1;
- d. Failed to give warning by sounding the warn when necessary in violation of 625 ILCS 5/11-1003.1;
- e. Operated its motor vehicle without keeping a proper and sufficient lookout;

- f. Turned right in front of a bicycle before its vehicle had overtaken and was safely clear of the bicycle, in violation of MCC 9-16-020; and
- g. Failed to give audible warning with its horn when such warning was reasonably necessary to insure safety, in violation of 625 ILCS 5/12-601.

13. As a direct and proximate result of one or more of the foregoing negligent acts and/or omissions, Plaintiff's decedent, ANASTASIA KONDRASHEVA, sustained injuries resulting in her death on September 26, 2016.

14. Plaintiff EKATERINA KONDRASHEVA is the duly appointed Special Administrator of the Estate of ANASTASIA KONDRASHEVA, Deceased, and brings this action pursuant to the Wrongful Death Act of the State of Illinois, 740 ILCS 180/1 et seq.

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WHEREFORE, Plaintiff, EKATERINA KONDRASHEVA, as Special Administrator of the Estate of ANASTASIA KONDRASHEVA, Deceased, demands judgment against Defendant, ANDRE J. SANDERS, for a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

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