

EXHIBIT B

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5.

After the collision, the vehicle being driven by Otis Heath, and in which plaintiff was a passenger traveled approximately 308 feet and came to an uncontrolled rest.

6.

A direct and proximate cause of the collision is the negligence and the negligence per se of the Defendant, including but not limited to the following:

- (a) Failure to exercise due caution while operating a motor vehicle;
- (b) Failure to maintain proper control of Defendant's vehicle in violation of O.C.G.A. § 40-6-390;
- (c) Operating Defendant's vehicle in a reckless manner with a disregard for the safety of others in violation of O.C.G.A. § 40-6-390;
- (d) Failure to pay proper attention to Defendant's course of travel and movement of other vehicles upon the street;
- (e) Failure to keep a proper lookout ahead for other vehicles using the roadway at the time of the collision;
- (f) Failure to make timely application of Defendant's brakes or take any other evasive action when by doing so Defendant could have avoided striking the vehicle in which Jessie B. Habersham was a passenger; and
- (g) Traveling too fast for conditions.

7.

Defendant was completely at fault in causing the collision.

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8.

As a direct and proximate result of the negligence and negligence per se of Defendant, Jessie B. Habersham suffered mental and physical injuries requiring medical treatment, as well as other damages.

9.

As a direct and proximate result of the negligence and negligence per se of Defendant, Plaintiff is entitled to recover all special damages in an amount to be proved at trial, including but not limited to medical bills and expenses.

10.

As a direct and proximate result of the negligence and negligence per se of Defendant, Plaintiff is entitled to recover general damages including but not limited to Jessie B. Habersham's mental and physical pain and suffering and loss of capacity to enjoy life, past, present, and future.

11.

Defendant has acted in bad faith, been stubbornly litigious or has caused Plaintiff unnecessary trouble or expense. Plaintiff is therefore entitled to recover the expenses of litigation, including but not limited to attorney's fees.

WHEREFORE, Plaintiff prays as follows:

- (a) That Defendant be served with process and be required to answer this lawsuit;
- (b) That Plaintiff recover recompensive damages from Defendant for all special damages incurred by Plaintiff;

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- (c) That Plaintiff recover all recompensive damages from Defendant for Jessie B. Habersham's mental and physical pain and suffering related to Jessie B. Habersham's injuries and all other general damages;
- (d) That Plaintiff recover Plaintiff's expenses of litigation in bringing this action;
- (e) That Plaintiff be awarded interest at the legal rate on any judgment ultimately rendered;
- (f) That Plaintiff have a trial before the Court; and
- (g) That Plaintiff be awarded any such other and further relief as the Court may deem just and appropriate.

This 18 day of April, 2018.

JACKSON R. MASSEY & ASSOCIATES, P.C.



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