

IN THE CIRCUIT COURT OF THE
TWENTITH JUDICIAL COURT
ST. CLAIR COUNTY, ILLINOIS

CHERYL JONES

Plaintiff,

vs.

DISCIPLE FELLOWSHIP,
CHRISTIAN CHURCH

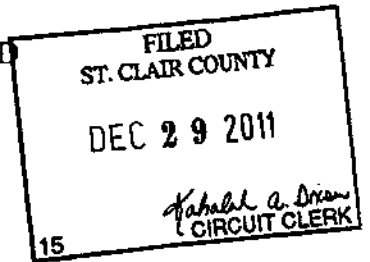
Serve at:
1340 N. 58th Street
East St. Louis, Illinois

Defendant.

Case No. 114702

Division: _____

JURY TRIAL DEMANDED



COMPLAINT
COUNT I
(Negligence)

COMES NOW Plaintiff, CHERYL JONES (hereinafter "Plaintiff") by and through her attorneys, and for her complaint against Defendant DISCIPLE FELLOWSHIP CHRISTIAN CHURCH (hereinafter "Defendant"), hereby states and alleges as follows:

1. Plaintiff is and has been at all times relevant herein, a resident of the State of Illinois, and at the time of the incident at issue in this matter was a resident of County of Madison.
2. Defendant is, and was at all times relevant herein, a corporation doing business in the State of Illinois, County of St. Clair.
3. Venue and jurisdiction are proper in this Court, in that the incident at issue in this matter occurred in St. Clair County, and as Plaintiff was first injured by the negligence of the Defendant in St. Clair County.
4. On January 5, 2010, Plaintiff Cheryl Jones was a guest and business invitee of Defendant.

5. On January 5, 2010, Plaintiff was attending Church services at Disciple Fellowship Christian Church when some of the members rushed to a line to receive the "spirit". As the members received the "spirit", they would sometimes fall to the ground. Typically, two ushers would stand on each side of the member to prevent the person receiving the "spirit" from falling and injuring themselves.

6. On this occasion, the pastor gave the "spirit" without the assistance of anyone. Consequently, as one member received the "spirit", she fell backwards knocking several other members into Plaintiff who fell to the ground with several people falling on top of her.

7. The fall caused Plaintiff to hit her head, neck, back and buttocks and lose consciousness.

8. At all times relevant herein, the Defendant owed Plaintiff a duty to ensure a safe place for parishioners to worship on its property.

9. At all times relevant hereto, Defendant failed to exercise the highest degree of care in assuring the safety of its parishioners and was thereby negligent in the following ways:

- (a) Failure to provide the parishioners a safe place to worship;
- (b) Failure to ensure that ushers were standing behind the parishioners to catch them if they fell to the floor after the Pastor laid his hands on them;
- (c) Failure to control the parishioners who were receiving the "spirit";
- (d) Failure to warn Plaintiff and parishioners of the potential dangers of receiving the "spirit"; and
- (e) Failure to conduct a reasonably safe service.

10. As a direct and proximate result of one or more of the foregoing negligent acts or omissions, Plaintiff sustained serious injuries to her person. Specifically, Plaintiff has suffered injuries to her head, neck, back and buttocks. Further, as a direct and proximate result of the

carelessness and negligence of Defendant, Plaintiff has/will in the future suffer physical pain and suffering as well as mental and emotional distress.

11. As a further direct and proximate result of the carelessness and negligence of Defendant, as described above, Plaintiff has in the past, and will in the future, incur expenses related to his medical and health care, including, but not limited to, surgical care, medical care, nursing care, physical/occupational therapy, orthopedic care, pharmacological treatment, massage therapy, rehabilitative therapy and other medical and health care services, including but not limited to diagnostic films and the use of medical/rehabilitative devices, for the care and treatment of the above-described injuries.

WHEREFORE, Plaintiff, CHERYL JONES, by and through counsel, requests that judgment be entered on his behalf against the Defendant, DISCIPLE FELLOWSHIP CHRISTIAN CHURCH, in a sum in excess of Fifty Thousand Dollars (\$50,000.00), for the costs of this action and for such other and further relief as the Court deems just and proper.

Respectfully submitted,

MILLIKAN WRIGHT LLC



**BRIAN P. MILLIKAN
CHRISTOPHER A. WRIGHT
1826 CHOUTEAU AVENUE
ST. LOUIS, MISSOURI 63103**

**IL BAR # 6276678
IL BAR # 6257496**

**(314) 621-0622
(866) 640-0289 FACSIMILE**

bmillikan@millikanwright.com

cwright@millikanwright.com

ATTORNEYS FOR PLAINTIFF