

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

George Lehman
1200 Cutler Circle
Lancaster, PA 17601

Plaintiff

v.

Lowe's Home Centers, LLC
1000 Lowes Blvd.
 Mooresville, NC 28117

Defendant

19-11913

No.:

ENTERED AND FILED
2019 DEC 18 PM 4:20
PROthonARY'S OFFICE
LANCASTER, PA

COMPLAINT

1. Plaintiff, George Lehman, (hereinafter referred to as "Plaintiff"), is an adult individual, sui juris, residing at 1200 Cutler Circle, Lancaster, PA 17601.

2. Defendant, Lowe's Home Centers, LLC, is a limited liability company, organized under the laws of the State of North Carolina, with an address of 1000 Lowes Blvd. Mooresville, NC 28117.

3. On or about February 17, 2019, Plaintiff purchased a refrigerator from Defendant and Defendant delivered the same to Plaintiff's house at 1200 Cutler Circle, Lancaster, PA 17601 on or about February 20, 2019.

4. At the aforesaid time and place, in the process of moving the refrigerator through the entryway door of Plaintiff's house, Defendant's employees and/or agents caused extensive damage to the entryway door and the door frame of Plaintiff's home.

5. At the aforesaid time and place, Defendant owed a duty of care to Plaintiff and Plaintiff's property, to deliver the refrigerator in a careful, prudent, and reasonable manner so as to not cause damage to Plaintiff's property.

12-19-2019
(3) OTC to
Attorney
\$ 173.25 (RMD)
check 12547
receipt 116654

6. At the aforesaid time and place, Defendant was negligent, careless, and reckless in the delivery of Plaintiff's refrigerator, and caused significant damage to Plaintiff's property while delivering the same.

Count I
Negligence

7. Paragraphs one (1) through six (6) of Plaintiff's Complaint are incorporated by reference thereto as set forth in their entirety herein.

8. Defendant, by and through its employees and/or agents, was negligent, careless, and reckless in the delivery of Plaintiff's refrigerator in the following particulars:

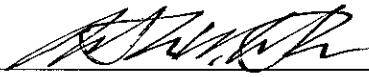
- a. In pushing the refrigerator into Plaintiff's door and door frame, causing significant damage to the same;
- b. In failing to be properly watchful and attentive of Plaintiff's door and door frame while moving the refrigerator into Plaintiff's house;
- c. In not exercising due care in the moving of Plaintiff's refrigerator, thereby causing significant damage to Plaintiff's property; and,
- d. In failing to maintain adequate control of Plaintiff's refrigerator, causing significant damage to Plaintiff's property.

9. As a direct and proximate result of the negligent, careless, and reckless conduct of Defendant as more specifically set forth herein, Plaintiff has suffered damages as more specifically set forth below, including but not limited to the following:

- a. Damage to Plaintiff's entryway door and door frame which will cost \$19,991.00 to repair.

WHEREFORE, Plaintiff demands judgment in his favor and against Defendant in the amount of NINETEEN-THOUSAND NINE HUNDRED AND NINETY-ONE DOLLARS (\$19,991.00), together with interest and costs as allowed by law.

Date: 12/17/19


By: 

Nathan W. Carter, Esquire
Attorney for Plaintiff
Attorney I.D. No. 205818
277 Millwood Road
Lancaster, PA 17603
Telephone: (717) 464-4300
Fax: (717) 464-0195

VERIFICATION

I, Nathan W. Carter, Esquire, verify that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Date: 12/17/19

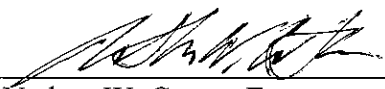


Nathan W. Carter, Esq.

CERTIFICATE OF COMPLIANCE

I, the undersigned, certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

Date: 12/17/19

Submitted By: 
Nathan W. Carter, Esq.

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
**PROTHONOTARY
CIVIL COVER SHEET**

PLEASE LIST NAMES AND ADDRESSES OF ADDITIONAL PARTIES ON A SEPARATE SHEET.

ALL PARTY INFORMATION IS REQUIRED INCLUDING ZIP CODES. ALL PARTY INFORMATION MUST MATCH THE PLEADING. PLEASE DO NOT STAPLE THE COVER SHEET TO THE PLEADING. IF AN EVENT NEEDS TO BE SCHEDULED, A CAO SCHEDULING COVER SHEET MUST ALSO BE ATTACHED.

TYPE OF ACTION: Complaint - Civil

19-11913

For Prothonotary Use Only:

DOCKET No: CI -

PARTY INFORMATION

PLAINTIFF'S NAME: George Lehman

DEFENDANT'S NAME: Lowe's Home Centers, LLC

ADDRESS: 1200 Cutler Circle
Lancaster, PA 17601

ADDRESS: 1000 Lowes Blvd.
 Mooresville, NC 28117

*If confidential,
use 2nd sheet*

MUNICIPALITY: East Hempfield

MUNICIPALITY: _____

TWP/BOROUGH: East Hempfield Township

TWP/BOROUGH: _____

DOB: _____ TELEPHONE #: _____
(mm/dd/yyyy) (#####)

DOB: _____ TELEPHONE #: _____
(mm/dd/yyyy) (#####)

PROTHONOTARY'S OFFICE
LANCASTER, PA
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2019 DEC 18 PM 4:20
(#####)

FILING ATTORNEY / FILING PARTY INFORMATION

FIRM/OFFICE: Law Office of James Clark

FILING ATTORNEY/PARTY: Nathan W. Carter, Esq.

AOPC: (Attorney ID) #: 205818

ADDRESS: 277 Millwood Rd.

CITY: Lancaster

STATE: PA

ZIP CODE: 17603

TELEPHONE #: (717) 464-4300

EMAIL: ncarter@jamesclarklaw.net

(#####)

TAX LIEN INFORMATION

MUNICIPALITY: _____ MAP REFERENCE: _____

DEED BOOK: _____ DEED PAGE: _____ DEED DATE: _____

SALE PRICE: _____ TAX YEAR: _____ TAX LIEN AMOUNT: _____

PROPERTY DESCRIPTION: _____

PFA/SVPO/PFI INFORMATION

HEARING DATE: _____

SOCIAL SECURITY #: (Defendant – Last 4 digits) _____

POLICE DEPARTMENT: _____

PREVIOUS PETITIONS: YES ☐ NO ☐ If 'YES', File Date: _____

NOTICE

Pennsylvania Rule of Civil Procedure 205.5. (Cover Sheet) provides, in part:

Rule 205.5. Cover Sheet

(a)(1) This rule shall apply to all actions governed by the rules of civil procedure except the following:

- (i) actions pursuant to the Protection from Abuse Act, Rules 1901 et seq.
- (ii) actions for support, Rules 1910.1 et seq.
- (iii) actions for custody, partial custody and visitation of minor children, Rules 1915.1 et seq.
- (iv) actions for divorce or annulment of marriage, Rules 1920.1 et seq.
- (v) actions in domestic relations generally, including paternity actions, Rules 1930.1 et seq.
- (vi) voluntary mediation in custody actions, Rules 1940.1 et seq.

(2) At the commencement of any action, the party initiating the action shall complete the cover sheet set forth in subdivision (e) and file it with the prothonotary.

(b) The prothonotary shall not accept a filing commencing an action without a completed cover sheet.

(c) The prothonotary shall assist a party appearing pro se in the completion of the form.

(d) A judicial district which has implemented an electronic filing system pursuant to Rule 205.4 and has promulgated those procedures pursuant to Rule 239.9 shall be exempt from the provisions of this rule.

(e) The Court Administrator of Pennsylvania, in conjunction with the Civil Procedural Rules Committee, shall design and publish the cover sheet. The latest version of the form shall be published on the website of the Administrative Office of Pennsylvania Courts at www.pacourts.us.

Supreme Court of Pennsylvania

Court of Common Pleas

Civil Cover Sheet

Lancaster

County

For Prothonotary Use Only:

Docket No:

19-11913

TIME STAMP
ENTERED AND FILED

PROTHONOTARY'S OFFICE
LANCASTER, PA

2019 DEC 18 PM 4:20

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:

- ☒ Complaint ☐ Writ of Summons ☐ Petition
☐ Transfer from Another Jurisdiction ☐ Declaration of Taking

Lead Plaintiff's Name:

George Lehman

Lead Defendant's Name:

Lowe's Home Centers, LLC

Are money damages requested? ☒ Yes ☐ No

Dollar Amount Requested: ☒ within arbitration limits
(check one) ☐ outside arbitration limits

Is this a Class Action Suit? ☐ Yes ☒ No

Is this an MDJ Appeal? ☐ Yes ☒ No

Name of Plaintiff/Appellant's Attorney: Law Office of James Clark/Nathan W. Carter, Esquire

☐ Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

SECTION B

Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

- ☐ Intentional
☐ Malicious Prosecution
☐ Motor Vehicle
☐ Nuisance
☒ Premises Liability
☐ Product Liability (does not include mass tort)
☐ Slander/Libel/ Defamation
☐ Other:

CONTRACT (do not include Judgments)

- ☐ Buyer Plaintiff
☐ Debt Collection: Credit Card
☐ Debt Collection: Other
☐ Employment Dispute: Discrimination
☐ Employment Dispute: Other
☐ Other:

CIVIL APPEALS

- Administrative Agencies
☐ Board of Assessment
☐ Board of Elections
☐ Dept. of Transportation
☐ Statutory Appeal: Other
☐ Zoning Board
☐ Other:

MASS TORT

- ☐ Asbestos
☐ Tobacco
☐ Toxic Tort - DES
☐ Toxic Tort - Implant
☐ Toxic Waste
☐ Other:

REAL PROPERTY

- ☐ Ejectment
☐ Eminent Domain/Condemnation
☐ Ground Rent
☐ Landlord/Tenant Dispute
☐ Mortgage Foreclosure: Residential
☐ Mortgage Foreclosure: Commercial
☐ Partition
☐ Quiet Title
☐ Other:

MISCELLANEOUS

- ☐ Common Law/Statutory Arbitration
☐ Declaratory Judgment
☐ Mandamus
☐ Non-Domestic Relations
☐ Restraining Order
☐ Quo Warranto
☐ Replevin
☐ Other:

PROFESSIONAL LIABILITY

- ☐ Dental
☐ Legal
☐ Medical
☐ Other Professional: