

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

SUNDIATA RICE, MONICA MCCALLISTER,
MINOR #1, MINOR #2, AND MINOR #3,

Plaintiffs,

vs.

FIRST STUDENT, INC.; JOHN DOE #1;
PITTSBURGH PUBLIC SCHOOL DISTRICT,

Defendants.

CIVIL DIVISION

No.: **GD-19-018105**

Code:

COMPLAINT IN CIVIL ACTION
Filed on behalf of Plaintiffs.

Counsel of Record for this Party:
SUNDIATA RICE & MONICA
MCCALLISTER, IN PRO PER
814 Heberton Street
Pittsburgh, PA 15206
Telephone: (412) 337-7405
Email: aiw9@pitt.edu

JURY TRIAL DEMANDED

FILED

19 DEC 23 PM 12:36

**CLERK OF COURT RECORDS
CIVIL/FAMILY DIVISION
ALLEGHENY COUNTY PA**

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23 December 2019
12:47:19
GD-19-018105**

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SUNDIATA RICE, MONICA MCCALLISTER,
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CIVIL DIVISION

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NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer Referral Service
Allegheny County Bar Association, 11th Floor Koppers Building
436 Seventh Avenue, Pittsburgh, PA 15219
Telephone: (412) 261-5555

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COMPLAINT IN CIVIL ACTION

AND NOW, come the Plaintiffs, SUNDIATA RICE and MONICA McCALLISTER, in pro per, and file the following Complaint in Civil Action whereof the following is a statement:

PARTIES

1. Plaintiffs, SUNDIATA RICE (hereinafter "RICE") and MONICA McCALLISTER (hereinafter "McCALLISTER"), are the parents and guardians of the minor Plaintiffs named hereinbelow, respectively, are adult individuals residing in the City of Pittsburgh, Allegheny County, Pennsylvania. Plaintiffs RICE and McCALLISTER file the within Complaint in Civil Action on behalf of the minor Plaintiffs named hereinbelow.
2. Plaintiffs, MINOR #1, MINOR #2, and MINOR #3, are minor children residing in the City of Pittsburgh, Allegheny County, Pennsylvania, and enrolled as students in the Pittsburgh Public School District. Plaintiff MINOR #1 is 11 years old, MINOR #2 is 9 years old, and MINOR #3 is 6 years old.
3. Defendant, FIRST STUDENT, INC. (hereinafter "First Student"), is a bus company

providing transportation to students in various school districts in Allegheny County, Pennsylvania, including but not limited to the Pittsburgh Public School District. Defendant, FIRST STUDENT is duly incorporated in Cincinnati, Ohio, and has its principal place of business in the United States and Canada. Defendant FIRST STUDENT regularly conducts business in the City of Pittsburgh, Allegheny County, Pennsylvania.

4. DEFENDANT, JOHN DOE #1 (hereinafter "Bus Driver"), is an adult individual employed as a bus driver by Defendant FIRST STUDENT; his identity is unknown to Plaintiffs at the time of filing. The name and identity of this Defendant will be discovered during the prosecution of this Matter. Defendant Bus Driver was assigned to Bus #330 which included the bus route servicing the minor Plaintiffs named hereinabove.

5. DEFENDANT, PITTSBURGH PUBLIC SCHOOL DISTRICT (hereinafter "PPSD"), is a school district incorporated and existing under the laws of the Commonwealth of Pennsylvania with its principal place of business located at 341 S. Bellefield Ave., Pittsburgh, PA 15213.

6. At all times relevant hereto, the defendant corporations acted through their agents and employees, and are vicariously liable for all conduct, acts, commissions, and/or omissions occurring during the course and scope of said agents' and employees' agency or employment with the defendant corporations.

JURISDICTION

7. This Court has subject matter jurisdiction over this action pursuant to 42 Pa.C.S.A. § 762.

8. This Court has personal jurisdiction over Defendant FIRST STUDENT pursuant to 42 Pa.C.S.A. § 5301, as, inter alia, defendant FIRST STUDENT carries on a continuous and systematic part of its general business within this Commonwealth.

9. This Court has personal jurisdiction over defendant BUS DRIVER pursuant to 42 Pa.C.S.A. § 5322, as, inter alia, defendant BUS DRIVER is employed by Defendant FIRST STUDENT which transacts business in this Commonwealth, contracts to supply services in this Commonwealth, and caused harm or tortious injury by an act or omission in this Commonwealth.

10. This Court has personal jurisdiction over defendant PPSD pursuant to 42 Pa.C.S.A. § 5322, as, inter alia, defendant PPSD transacts business in this Commonwealth and contracts to supply services in this Commonwealth.

11. Venue is proper in this County pursuant to Pa. R. Civ. Pro. § 2179, as, inter alia, the defendants regularly conduct business in this County.

FACTUAL ALLEGATIONS

12. Defendant PPSD contracted with Defendant FIRST STUDENT for FIRST STUDENT to provide transportation to PPSD students for the 2018-2019 school year.

13. Plaintiffs RICE and McCALLISTER enrolled their children, the named minor Plaintiffs, MINOR #1, MINOR #2, and MINOR #3, in Fulton Elementary School located in the Highland Park neighborhood of Pittsburgh wherein all Plaintiffs are residents. Fulton Elementary School is within the City of Pittsburgh and is operated and funded by Defendant PPSD.

14. The minor Plaintiffs were assigned to First Student bus No. 330 by Defendant PPSD for the 2018-2019 school year. The minor Plaintiffs caught bus No. 330 which transported them

from their assigned bus stop near their home to Fulton Elementary School and back daily pursuant to the contract between Defendant PPSD and Defendant FIRST STUDENT.

15. On or about the morning of Tuesday, May 14, 2019, Defendant BUS DRIVER picked up the minor Plaintiffs from their bus stop in Homewood North.

16. Before completing his route, Defendant BUS DRIVER received a call from a dispatcher from Defendant FIRST STUDENT. Shortly thereafter, Defendant BUS DRIVER instructed the students on the bus, including but not limited to the minor Plaintiffs, to disembark from the bus before arriving at Fulton Elementary School.

17. All student passengers on bus No. 330 are in elementary school, and range in age from 5 years old to 12 years old.

18. Confused and afraid, the students disembarked from the bus as instructed by Defendant BUS DRIVER who then drove away leaving the minor children abandoned in the Homewood neighborhood.

19. At approximately 7:45 a.m., Plaintiff MINOR #1 called her mother, Plaintiff McCallister at home and told her that after receiving a call, the bus driver said "I can't do this" and instructed them to leave the bus. At that time there was no adult present and Defendant BUS DRIVER did not give the minor children any indication that another bus or alternative transportation would be provided.

20. The location where the children were abandoned is approximately one block from an extremely dangerous Homewood intersection with high open air drug sales.

21. Plaintiff McCallister relayed the message to Plaintiff Rice. Plaintiff Rice told Plaintiff MINOR #1 to stay put and that he would come down to pick her and her siblings up.

22. Plaintiff Rice immediately left home and drove to the location where the children stated they were located. The minor Plaintiffs, along with some of the other students, had walked to the corner of Mount Vernon Street and Homewood Avenue after being abandoned by the driver.

23. When Plaintiff Rice arrived to pick up the minor Plaintiffs, there were approximately 10 children without transportation to school who had been on the bus. In addition to taking his children, MINOR #1, MINOR #2, and MINOR #3, Plaintiff Rice also drove another student to the school.

24. A well-known jitney driver, "Mr. Bob" took some of the remaining students. Mr. Bob just happened to be in the vicinity because of his job as a jitney driver because he often drives one particular student to school when she is too late to board the school bus.

25. There was no indication or information provided to the students or the parents that another PPSD school bus ever came to pick up the students. Based on information and knowledge of all named Plaintiffs, none of the students kicked off of the bus by Defendant BUS DRIVER were ever provided alternative transportation to Fulton Elementary School.

26. When Plaintiff Rice arrived at Fulton Elementary school with the students, he went into the main office and told the secretary what had happened. He was told that Fulton School principal Karen Arnold had left the building as soon as she heard the news and went searching to pick up the remainder of the students.

27. Plaintiff Rice waited nearly an hour for the principal to return to the school so that he could talk with her about the incident. He was told by the secretary that there was "nothing she could do about the wait". Later the secretary called all of the students back down to the main

office to talk to their parents on the phone about the incident.

28. On or about May 15, 2019, the day following the abandonment of the students, Plaintiff Rice got in touch with the principal who apologized for what happened and told him that criminal charges were being placed against the driver.

29. After investigation, it came to light that prior to the incident in question, the driver was placed under investigation by Defendant PPSD related to allegations that he allegedly 'punched, pulled, or otherwise touched children, not sexually but physically.' He also allegedly refused to wait for a child within his view who was running to catch the bus, stating that she was too late. The only reason she was not left behind is because the Defendant Bus Driver encountered a red light and had to stop.

30. Plaintiff MINOR #1 stated that she was extremely stressed out during the incident in question because she didn't know where she was. Secondly, her siblings, Plaintiffs MINOR #2 and MINOR #2, were not listening to her when she was instructing them about what to do. Thirdly, all of the other students were running in the streets along with her siblings - many of them running to get into Mr. Bob's car because he was the only familiar adult person present at the time. While all of that was happening, Plaintiff McCallister was still on the phone, frantically telling MINOR #1 to tell her siblings not to get into Mr. Bob's car.

31. Plaintiff MINOR #2 stated that Defendant BUS DRIVER had, on the day of the incident said "I don't want you kids on the bus" when they initially boarded the bus. Later when they were kicked off the bus by Defendant BUS DRIVER, he was confused and wondered if they had a new bus stop. After being kicked off of the bus, he ran to Mr. Bob's car until MINOR #1 told him that Daddy said get out of the car. They were trying to figure out the name of the stree

to tell their parents. Once MINOR #1 figured out and told Plaintiff Rice their location, he arrived and took them all to school. Nolan wrote down everything that happened and then went to French class.

32. The week of the incident, Aisha White, grandmother to the minor Plaintiffs, called Defendant First Student, the company employing the driver in question to gather more information regarding the incident in question.

33. Mike Backo, manager at Defendant, First Student, stated that prior to the incident in question occurring on or about May 14, 2019, he was informed that Defendant PPSD was investigating the driver regarding the allegations lodged against him described hereinabove.

34. According to Mr. Backo, the previous Friday, May 10, 2019, the district contacted Defendant FIRST STUDENT and requested that a camera be placed on bus No. 330 in order to monitor the behavior of the driver, Defendant BUS DRIVER. According to Mr. Backo, Defendant PPSD didn't tell the company why Defendant Bus Driver was being investigated. They also did not tell him why he had to be pulled from his route on May 14th, but were insistent that he could not have children on the bus with him any longer.

35. On or about May 14, 2019, the day of the incident, according to Mike Backo, Defendant FIRST STUDENT was told by Defendant PPSD that the driver could no longer have children on the bus with him allegedly 10 minutes before he started his run so the information didn't get to him until he had already begun picking children up. At that time, Mr. Backo was driving a bus himself and was therefore limited in how to respond. Mr. Backo stated that he relayed the information back to the dispatcher who then told Defendant BUS DRIVER that he had to stop transporting children immediately.

36. Mr. Backo acknowledged that Defendant BUS DRIVER left the children at a stop in Homewood after being contacted by the dispatcher from Defendant PPSD. Mr. Backo claims that the driver told the students to stay on the corner and wait for another bus to pick them up, but the students, including the named minor Plaintiffs, stated that they were only instructed to get off of the bus.

37. According to Mr. Backo, Defendant FIRST STUDENT was not informed of the reason why Defendant PPSD demanded that the route be stopped so abruptly.

CAUSES OF ACTION

I. NEGLIGENCE (FIRST STUDENT)

38. Plaintiffs allege and incorporate by reference the allegations contained in all of the above paragraphs, as fully as though the same were set forth herein at length.

39. Defendant FIRST STUDENT is vicariously liable for the negligent acts, commissions, or omissions of its employees and/or agents who were at all times relevant hereto acting on behalf of defendant FIRST STUDENT and within the scope of their employment with defendant FIRST STUDENT, under the doctrines of respondeat superior and ostensible agency.

40. At all relevant times, defendant FIRST STUDENT had a duty to act in accordance with the standard of care required of school bus companies and to act as a reasonable corporation would under the same or similar circumstances.

41. This duty required defendant FIRST STUDENT to provide competent bus drivers, safely and securely transport students from their assigned bus stop to their assigned school, and to guard against abandonment and mistreatment during said transport. This duty further required defendant FIRST STUDENT, upon discovery of a bus driver who may be under investigation

for improper or inappropriate behavior, or deemed unsafe or incompetent to safely transport students, to take adequate steps to ensure that such a driver is not assigned to a bus route and that students are not placed in such a driver's care.

42. Defendant FIRST STUDENT failed to provide a competent bus driver, failed to safely and securely transport students from their assigned bus stop to their assigned school, and failed to guard against abandonment and mistreatment during said transport; in these failures, Defendant FIRST STUDENT breached its duty and was negligent.

43. As a result of the injury sustained by Plaintiffs due to defendant FIRST STUDENT'S negligence and/or negligence per se, Plaintiffs have suffered and/or will continue to suffer the following damages: Past and future pain and suffering, inconvenience and emotional distress.

44. Defendant FIRST STUDENT'S conduct was malicious, wanton, willful, oppressive, and/or exhibited a reckless indifference to the rights and safety of others such that an award of punitive damages is warranted. To wit, defendant FIRST STUDENT was informed and aware of the prior alleged behavior of Defendant BUS DRIVER wherein he was accused of mistreatment of students assigned to his bus routes, was aware that Defendant PPSD was investigating Defendant BUS DRIVER, and was aware that Defendant BUS DRIVER should not have been transporting students on the date of the incident in question, and failed to take steps to prevent conduct that posed a dire and foreseeable risk to students, including but not limited to the named minor Plaintiffs.

WHEREFORE, Plaintiffs demand judgment against defendant FIRST STUDENT in the amount of \$250,000.00, exclusive of interest and costs.

II. NEGLIGENCE (PITTSBURGH PUBLIC SCHOOL DISTRICT)

45. Plaintiffs allege and incorporate by reference the allegations contained in all of the above paragraphs, as fully as though the same were set forth herein at length.

46. Defendant PPSD is vicariously liable for the negligent acts, commissions, or omissions of its employees and/or agents who were at all times relevant hereto acting on behalf of Defendant PPSD and within the scope of their employment with Defendant PPSD, under the doctrines of respondeat superior and ostensible agency.

47. At all relevant times, Defendant PPSD had a duty to act in accordance with the standard of care required of school districts that provide transportation through school bus companies and to act as a reasonable corporation would under the same or similar circumstances.

48. This duty required Defendant PPSD to provide safe and secure transportation of students from their assigned bus stop to their assigned school, and to ensure that any transportation company employed to service students of the district is informed of any problems with drivers in a timely manner in order to ensure the safety of students of the district. This duty further required Defendant PPSD, upon discovery of a bus driver who may be under investigation for improper or inappropriate behavior, or deemed unsafe or incompetent to safely transport students, to take adequate steps to ensure that such a driver is not assigned to a bus route and that students are not placed in such a driver's care.

49. Defendant PPSD failed to provide safe and secure transportation of students from their assigned bus stop to their assigned school, and failed to ensure that FIRST STUDENT, the transportation company employed to service the named minor Plaintiffs, was informed of any problems with drivers in a timely manner in order to ensure the safety of students of the

district, including but not limited to the named minor Plaintiffs. In these failures, Defendant PPSD breached its duty and was negligent.

50. As a result of the injury sustained by Plaintiffs due to Defendant PPSD'S negligence and/or negligence per se, Plaintiffs have suffered and/or will continue to suffer the following damages: Past and future pain and suffering, inconvenience and emotional distress.

51. Defendant PPSD'S conduct was malicious, wanton, willful, oppressive, and/or exhibited a reckless indifference to the rights and safety of others such that an award of punitive damages is warranted. To wit, Defendant PPSD was informed and aware of the prior alleged behavior of Defendant BUS DRIVER wherein he was accused of mistreatment of students assigned to his bus routes, was investigating Defendant BUS DRIVER, and was aware that Defendant BUS DRIVER should not have been transporting students on the date of the incident in question, and failed to take steps to prevent conduct that posed a dire and foreseeable risk to students, including but not limited to the named minor Plaintiffs.

WHEREFORE, Plaintiffs demand judgment against Defendant PPSD in the amount of \$250,000.00, exclusive of interest and costs.

III. NEGLIGENT HIRING AND SUPERVISION (FIRST STUDENT)

52. Plaintiffs allege and incorporate by reference the allegations contained in all of the above paragraphs, as fully as though the same were set forth herein at length.

53. That Defendant FIRST STUDENT hired Defendant BUS DRIVER.

54. That Defendant BUS DRIVER was or became unfit and incompetent to perform the work for which he was hired, specifically to safely and securely transport students from their

assigned bus stop to their assigned school, and to guard against abandonment and mistreatment during said transport.

55. That Defendant FIRST STUDENT knew or should have known that Defendant BUS DRIVER was or became unfit and incompetent to safely and securely transport students from their assigned bus stop to their assigned school, and to guard against abandonment and mistreatment during said transport and that this unfitness and incompetence created a particular risk to others, specifically students.

56. That Defendant BUS DRIVER's unfitness and incompetence resulting in the abandonment of several minor children, including but not limited to the named minor Plaintiffs harmed the Plaintiffs.

57. That Defendant FIRST STUDENT's negligence in hiring, supervising, and retaining Defendant BUS DRIVER was a substantial factor in causing Plaintiff's harm.

WHEREFORE, Plaintiffs demand judgment against defendant FIRST STUDENT in the amount of \$250,000.00, exclusive of interest and costs.

IV. VICARIOUS LIABILITY AND DIRECT NEGLIGENCE (FIRST STUDENT)

58. Plaintiffs allege and incorporate by reference the allegations contained in all of the above paragraphs, as fully as though the same were set forth herein at length.

59. Defendant FIRST STUDENT is vicariously liable for the negligent acts, commissions, or omissions of it's employee and/or agent, Defendant BUS DRIVER, who was at all times relevant hereto acting on behalf of defendant FIRST STUDENT and within the scope of his employment with defendant FIRST STUDENT, under the doctrines of respondeat superior and ostensible agency.

60. At all relevant times, Defendant BUS DRIVER had a duty to act in accordance with the standards of care required of a school bus driver transporting minor children and to act as a reasonable person would under the same or similar circumstances.

61. This duty required Defendant BUS DRIVER to ensure that his conduct did not endanger students or expose them to the risk of harm.

62. While in the employ of defendant FIRST STUDENT and while acting within the course and scope of that employment, Defendant BUS DRIVER breached his duty and was negligent, by:

- a. Failing to safely and securely transport students from their assigned bus stop to their assigned school;
- b. Failing to guard against abandonment and mistreatment during said transport; and/or
- c. In such other ways as may be proven by the evidence.

63. Defendant FIRST STUDENT is vicariously liable for said negligence.

64. At all relevant times, defendant FIRST STUDENT had a duty to act in accordance with the standard of care required of student bus companies and to act as a reasonable corporation would under the same or similar circumstances.

65. Defendant FIRST STUDENT breached its duty and was negligent, by:

- a. Failing to properly train, test, supervise and monitor the acts of defendant BUS DRIVER; and/or
- b. Failing to review on a continuous basis the competence and/or qualifications of defendant BUS DRIVER, to oversee defendant BUS DRIVER, and to determine his compliance with the industry standards and his history of alleged noncompliance; and/c

c. Failing to use due care in the selection of bus drivers, employees, agents, and/or servants; and/or

d. Increasing the risk of harm to Plaintiffs by the negligent acts and/or omissions stated in subparagraphs a through c; and/or

e. In such other ways as may be proven by the evidence.

66. Plaintiffs' injuries were the direct, legal and proximate result of defendant FIRST STUDENT's vicarious and/or direct negligence.

67. As a result of the injury sustained by Plaintiffs due to defendant FIRST STUDENT's vicarious and/or direct negligence, Plaintiffs have suffered and/or will continue to suffer the following damages: Past and future pain and suffering, inconvenience and emotional distress.

WHEREFORE, Plaintiffs demand judgment against defendant FIRST STUDENT in the amount of \$250,000.00, exclusive of interests and costs.

**V. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(FIRST STUDENT AND BUS DRIVER)**

68. Plaintiffs allege and incorporate by reference the allegations contained in all of the above paragraphs, as fully as though the same were set forth herein at length.

69. Defendant FIRST STUDENT is vicariously liable for the negligent acts, commissions, or omissions of it's employee and/or agent, Defendant BUS DRIVER, who was at all times relevant hereto acting on behalf of defendant FIRST STUDENT and within the scope of his employment with defendant FIRST STUDENT, under the doctrines of respondeat superior and ostensible agency.

70. That Defendant BUS DRIVER's conduct, including but not limited to abandoning minor children in an area unknown to them and without alternative safe transport during his bus route, was outrageous.

71. That Defendant BUS DRIVER intended to cause Plaintiffs, as well as the other students who were abandoned and their parents, emotional distress.

72. That Defendant BUS DRIVER acted with reckless disregard of the probability that Plaintiffs would suffer emotional distress, knowing that Plaintiffs were present when the conduct occurred.

73. That Plaintiffs suffered severe emotional distress; and

74. That Defendant BUS DRIVER's conduct was a substantial factor in causing Plaintiff's severe emotional distress.

WHEREFORE, Plaintiffs demand judgment against defendant FIRST STUDENT in the amount of \$250,000.00, exclusive of interests and costs.

**VI. NEGLIGENCE INFLICTION OF EMOTIONAL DISTRESS
(FIRST STUDENT AND BUS DRIVER)**

75. Plaintiffs allege and incorporate by reference the allegations contained in all of the above paragraphs, as fully as though the same were set forth herein at length.

76. Defendant FIRST STUDENT is vicariously liable for the negligent acts, commissions, or omissions of its employee and/or agent, Defendant BUS DRIVER, who was at all times relevant hereto acting on behalf of defendant FIRST STUDENT and within the scope of his employment with defendant FIRST STUDENT, under the doctrines of respondeat superior and ostensible agency.

77. That Defendant BUS DRIVER negligently caused injury to Plaintiffs.

78. That when Defendant BUS DRIVER failed to safely and securely transport students from their assigned bus stop to their assigned school, failed to guard against abandonment and mistreatment during said transport, and actually abandoned minor children in an area unknown to them and without alternative safe transport during his bus route, that caused injury to Plaintiffs, as well as other students who were abandoned and their parents, Defendant BUS DRIVER was present at the scene.

79. That Plaintiffs, other students and their parents, were then aware that the incident in question was causing injury to Plaintiffs, as well as other students and their parents.

80. That Plaintiffs suffered serious emotional distress.

81. That Defendant BUS DRIVER's conduct was a substantial factor in causing Plaintiff's serious emotional distress.

WHEREFORE, Plaintiffs demand judgment against defendant FIRST STUDENT in the amount of \$250,000.00, exclusive of interests and costs.

REQUEST FOR DAMAGES

WHEREFORE, Plaintiffs demand judgment against defendants in the amount of \$250,000.00, exclusive of interests and costs.

JURY TRIAL DEMANDED

Respectfully Submitted,

Sundiata Rice
Monica McCallister

SUNDIATA RICE and
MONICA McCALLISTER,
PLAINTIFFS, IN PRO PER

Supreme Court of Pennsylvania

Court of Common Pleas

Civil Cover Sheet

ALLEGHENY

County

For Prothonotary Use Only:

Docket No:

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.

Commencement of Action:

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

Lead Plaintiff's Name:

SUNDIATA RICE and MONICA McCALLISTER

Lead Defendant's Name:

FIRST STUDENT, INC.

Are money damages requested? ☒ Yes ☐ No

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

Is this a *Class Action Suit*? ☐ Yes ☒ No

Is this an *MDJ Appeal*? ☐ Yes ☒ No

Name of Plaintiff/Appellant's Attorney: _____

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

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: _____

MASS TORT

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

PROFESSIONAL LIABILITY

- ☐ Dental
☐ Legal
☐ Medical
☐ Other Professional: _____

CONTRACT (do not include Judgments)

- ☐ Buyer Plaintiff
☐ Debt Collection: Credit Card
☐ Debt Collection: Other

- ☐ Employment Dispute: Discrimination
☐ Employment Dispute: Other

☐ Other: _____

REAL PROPERTY

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

CIVIL APPEALS

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

- ☐ Zoning Board
☐ Other: _____

MISCELLANEOUS

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