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*This is an arbitration matter.
An assessment of damages hearing is required*

Attorney for plaintiff

THOMAS MAHONEY
43 Congress Ave,
Springfield, PA 19064

Plaintiff

v.

GARNET VALLEY SCHOOL DISTRICT
552 Smithbridge Rd,
Glen Mills, PA 19342

COURT OF COMMON PLEAS
DELAWARE COUNTY
CIVIL ACTION
TERM, 2019
NO.

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 an 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 other 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

LAWYERS REFERENCE SERVICE
Front and Lemon Streets
Media, Pennsylvania 19063
(610) 566-6625

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PLAINTIFF'S COMPLAINT

AND NOW, comes the Plaintiff, by and through his undersigned counsel, Thomas F.

Sacchetta, Esquire, and avers as follows:

1. Plaintiff, Thomas Mahoney, is an adult individual residing 43 Congress Avenue, Springfield, PA 19064.
2. Defendant, Garnet Valley School District, is, upon information and belief, a governing body duly organized and existing under the laws of the Commonwealth of Pennsylvania, which maintains an administrative office at 552 Smithbridge Road, Glen Mills, PA 19342. Defendant is a local municipality and is subject to suit under applicable statutes, including but not limited to 42 Pa. C.S.A. §§ 8542(b)(2) and 8542(b)(3), and 8553.
3. At all times relevant hereto, defendant was in exclusive possession, management and control of the property as described below located at 552 Smithbridge Road, Glen Mills, PA 19342.

4. At all times relevant hereto, defendant was responsible for maintenance of 552 Smithbridge Road, Glen Mills, PA 19342.

5. On or about November 17, 2017, while plaintiff was lawfully on the aforesaid premises he was caused to suffer injury as a result of a defective condition of the premises, 552 Smithbridge Road, Glen Mills, PA 19342, i.e. defective steps/stairway, causing an unreasonably dangerous condition to exist.

6. The accident was caused by the negligence of defendant, and plaintiff brings this action to recover against them.

COUNT I - NEGLIGENCE

Plaintiff, Thomas Mahoney v. Defendant, Garnet Valley School District

7. Plaintiffs incorporate by reference all preceding paragraphs of this Complaint as though fully set forth at length.

8. The accident was caused exclusively and solely by the defendant's negligence, in that:
- a. Defendant caused or permitted dangerous conditions to exist;
 - b. Defendant failed to make a reasonable inspection of the premises, which would have revealed the dangerous condition created by Defendant;
 - c. Defendant failed to give warning of the dangerous condition and failed to erect barricades or to take any other precautions to prevent injury to Plaintiff;
 - d. Defendant failed to remove the defective condition;
 - e. Defendant failed to exercise reasonable prudence and due care to keep the premises in a safe condition for the Plaintiff; and
 - f. Defendant were otherwise negligent under the circumstances.

9. At all times relevant hereto, defendant acted through their employees, servants, and agents.

10. Defendant through their employees, servants and agents, either had actual notice of the unsafe and dangerous condition of the premises and sufficient time to correct the dangerous situation, or the condition existed for so long a period of time prior to the occurrence that defendants, in the exercise of due care, could and should have known of the unsafe and dangerous condition of the premises.

11. Solely as a result of the negligence of defendant, plaintiff was caused to suffer various physical injuries, including, but not limited to, injuries to plaintiff's knees, right hand and low back area.

12. As a direct result of the aforesaid injuries, plaintiff suffered severe shock to his nervous system, great physical pain, and mental anguish, all of which may continue for an indefinite period of time into the future.

13. Plaintiff has been compelled to expend and will be required to expend various sums of money for medication and medical attention in attempting to remedy the aforementioned injuries.

14. Plaintiff has incurred medical expenses in excess of the statutory minimum.

15. As a result of his injuries, plaintiff has and may in the future continue to incur unreimbursed wage loss.

16. As a result of his injuries, plaintiff has suffered a permanent disability and a permanent impairment of his earning power and capacity.

17. As a direct result of the injury, plaintiff has been prevented from attending to his usual duties and obligations, and believes that he may be prevented from so doing in the future, as his injuries seem to be permanent in nature.

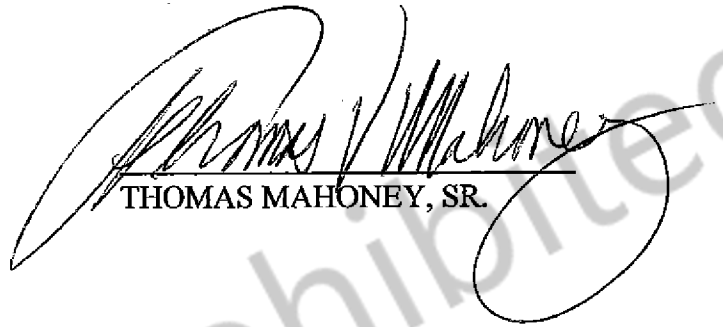
WHEREFORE, plaintiff demands judgment against defendant in an amount not in excess of Fifty Thousand (\$50,000.00) Dollars and within the arbitration limit of this court.

SACCHETTA & BALDINO

By: /S/THOMAS F. SACCHETTA, ESQUIRE
THOMAS F. SACCHETTA, ESQUIRE
Attorney for plaintiff

VERIFICATION

I hereby verify that the statements made in the foregoing document are true and correct to the best of my knowledge, information and belief. The undersigned understands that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.


THOMAS MAHONEY, SR.

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