

By: JANE DOE  
Pro Se Litigant  
1234 Hickory St.  
Blackacre, PA 12345  
Ph: 555-555-5555  
Fax: 1-555-444-4444

Jane Doe,  
Pro Se Litigant

JANE DOE  
1234 Hickory St.  
Blackacre, PA 12345

PHILADELPHIA COUNTY  
COURT OF COMMON PLEAS  
CIVIL DIVISION

vs.

TERM, 20\_\_

THE CITY OF PHILADELPHIA  
1515 ARCH STREET, 14<sup>TH</sup> FLOOR  
PHILADELPHIA, PA 19102

No.

THIS IS AN ARBITRATION MATTER

Commented [LF1]: Insert your contact information

Commented [LF3]: Insert the county in which you are filing suit

Commented [LF2]: Insert name and current address of the defendant in your case

Commented [LF4]: If you are filing your lawsuit in the court of common pleas, substitute this with "JURY TRIAL DEMANDED".

#### **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.**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defesas o sus objeciones a las demandas en contra de su persona. Sea avissado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo avise o notificacion. Ademias, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder.

LAWYER REFERENCE SERVICE  
PHILADELPHIA BAR ASSOCIATION  
ONE READING CENTER  
PHILADELPHIA, PA 19107  
215-238-6333

Commented [LF5]: Insert the bar association and contact information for the county in which you are filing suit.

By: JANE DOE  
Pro Se Litigant  
1234 Hickory St.  
Blackacre, PA 12345  
Ph: 555-555-5555  
Fax: 1-555-444-4444

Jane Doe,  
Pro Se Litigant

JANE DOE  
1234 Hickory St.  
Blackacre, PA 12345

PHILADELPHIA COUNTY  
COURT OF COMMON PLEAS  
CIVIL DIVISION

vs.

TERM, 20\_\_

THE CITY OF PHILADELPHIA  
1515 ARCH STREET, 14<sup>TH</sup> FLOOR  
PHILADELPHIA, PA 19102

No.

THIS IS AN ARBITRATION MATTER

**COMPLAINT IN CIVIL ACTION**

1. Plaintiff Jane Doe is an adult individual residing at residing at 1234 Hickory St., Blackacre, PA 12345.

2. Defendant City of Philadelphia is either a government unit, government agency, City of the First Class, municipal corporation, proprietorship, and/or other entity with a place of service and/or registered address at the captioned location, and it is believed and therefore averred that at all times herein material it did own and/or possess and/or control and/or maintain and/or lease and/or cause a dangerous condition to exist at the certain real premises more particularly described hereinafter wherein Plaintiff Jane Doe was caused to trip and/or fall and sustain his injuries, and it is further believed and therefore averred that it/he/they did own and/or possess and/or control and/or maintain the pavement and public street and crosswalk at the place of the incident.

3. At all times relevant hereto, defendants acted or failed to act by and through their agents, servants, workmen, and/or employees who were then and there acting within the scope of their authority and in the course of their employment with defendants' business and/or affairs on behalf of defendants.

Commented [LF6]: Insert your contact information

Commented [LF8]: Insert the county in which you are filing suit

Commented [LF7]: Insert name and current address of the defendant in your case

Commented [LF9]: If you are filing your lawsuit in the court of common pleas, substitute this with "JURY TRIAL DEMANDED".

Commented [LF10]: If the defendant in your case is a person, simply describe said person the same way you described yourself (adult individual and current address).

If the defendant is a corporation, the following is an example as to how to identify the corporation and aver the court's jurisdiction over said corporation:

1. Defendant XYZ Homestore is a Florida Corporation authorized to do business in the Commonwealth of Pennsylvania with a place of business at 12345 Willow St., Whiteacre, PA 12345 and at all relevant times hereto, owned, managed, operated, maintained and/or leased the property located at 12345 Willow St., Whiteacre, PA 12345.

2. At all times relevant hereto, defendants acted or failed to act by and through their agents, servants, workmen, and/or employees who were then and there acting within the scope of their authority and in the course of their employment with defendants' business on behalf of defendants.

Note: Because the location of the incident was in Whiteacre, the suit would be filed in the county that encompasses Whiteacre

Commented [LF11]: Insert averment that the defendant owned and controlled the property that caused you to slip/trip and fall.

4. Defendants, acting by and through their agents, servants, workmen and/or employees acting as aforesaid, carelessly and negligently allowed a dangerous and defective condition to exist, to wit, a hole which had formed around a Philadelphia Water Department manhole thereby exposing the side of the Philadelphia Water Department pipe at or near the crosswalk of Pattison Avenue at Darrian Street near Citizens Bank Park in Philadelphia, PA and by allowing said condition to exist for an unreasonable period of time causing plaintiff Jane Doe to trip and fall to the ground on August 25, 2015 at approximately 4:30 p.m.

**Commented [LF12]:** Describe the specific defect

**Commented [LF13]:** Specify what negligent actions are being averred.

5. Defendant is responsible for the proper maintenance, inspection and repair of the aforesaid street, including the crosswalk surface to make sure said surface is safe for pedestrians and plaintiff who was lawfully walking on the street.

6. On August 25, 2015, at approximately 4:30 p.m., plaintiff Jane Doe, was lawfully walking across the street at or near the crosswalk of Pattison Avenue at Darrian Street near Citizens Bank Park in Philadelphia, Pennsylvania with the flow of the crowd when she tripped on a hole formed around a Philadelphia Water Department manhole and against the exposed side of the Philadelphia Water Department pipe, causing her to fall forward to the ground and suffer serious bodily injury which are set forth below.

**Commented [LF14]:** Insert the facts of the incident

7. The aforesaid incident was due solely to the negligence and carelessness of defendant acting as aforesaid, and was due in no manner whatsoever to any act or failure to act on the part of plaintiff Jane Doe.

8. The aforesaid condition that caused plaintiff to trip and fall created a reasonably foreseeable risk of the kind of injury incurred by plaintiff Jane Doe and that Defendant City of Philadelphia had actual notice or could or should have had notice for a sufficient time before the accident to have taken measure to protect against the aforesaid dangerous condition.

COUNT I  
PLAINTIFF JANE DOE v DEFENDANT THE CITY OF PHILADELPHIA

9. Plaintiff Jane Doe incorporates by reference the allegations contained in paragraphs 1 through 8 of her complaint as if fully set forth herein at length.

10. The negligence and carelessness of defendant City of Philadelphia acting as aforesaid, consisted of the following:

- (a) Allowing and causing a dangerous and defective condition to exist on the surface of the street which defendant City of Philadelphia knew or should have known existed by the exercise of reasonable care;
- (b) Allowing the condition to exist for an unreasonable length of time;
- (c) Failing to correct, remove, treat, repair and maintain the dangerous conditions;
- (d) Failing to provide plaintiff with warnings of the condition;
- (e) Failing to barricade or cordon off the area of the condition;
- (f) Failing to make reasonable and regular inspections of the street to observe any dangerous conditions, including the significantly exposed side of the Philadelphia Water Department pipe and surrounding hole that is hazardous to plaintiff and other pedestrians.

11. Solely as the result of the negligence and carelessness of defendant City of Philadelphia, plaintiff Jane Doe has suffered injuries which are serious and permanent in nature, including a nondisplaced hairline fracture in her left distal fibula, metatarsalgia in her left foot, hallux rigidus in her left foot left, radiculopathy in the cervicothoracic region, left radiculopathy in the lumbar region, left bursitis of her left shoulder, left bursitis of her right shoulder, left

**Commented [LF15]:** Insert everything you contend the defendant failed to do.

shoulder impingement syndrome, left cervical disc disorder with radiculopathy in the mid-cervical region, and other intervertebral disc degeneration in the lumbosacral region, some or all of which are or may be permanent in nature and all of which injuries have caused her to seek medical treatment.

Commented [LF16]: Insert your own injuries

12. As a result of the negligence and carelessness of defendant City of Philadelphia, plaintiff Jane Doe has been or will be required to receive and undergo medical attention and to expend various sums of money and to incur various expenses and she may be required to continue to expend such sums or incur such expenditures for an indefinite time in the future.

13. As a result of the negligence and carelessness of defendant City of Philadelphia, plaintiff Jane Doe has a medically determined physical impairment which prevents plaintiff Jane Doe from adequately performing all or substantially all of the material acts and duties which constitute plaintiff Jane Doe' usual customary activities prior to the accident.

14. As a further result of the negligence and carelessness of defendant City of Philadelphia, plaintiff Jane Doe has or may hereinafter incur other financial expenses which do or may achieve amounts that plaintiff Jane Doe may otherwise be entitled to recover including payment for medical bills.

15. As a direct result of the negligence and carelessness of defendant City of Philadelphia, its agents, servants, workmen and/or employees, plaintiff Jane Doe has or may hereinafter suffer severe physical pain, mental anguish, humiliation and embarrassment and she may continue to suffer same for an indefinite time in the future.

16. As a further result of the negligence and carelessness of Defendant, plaintiff Jane Doe suffered a loss of life pleasures which may continue into the future.

17. As a further result of the negligence and carelessness of Defendant, plaintiff Jane Doe has and may continue to suffer severe loss of her earnings and an impairment of her earning capacity and power.

**Commented [LF17]:** This paragraph may be taken out if work loss is not being claimed.

WHEREFORE, Plaintiff Jane Doe demands judgment in her favor and against City of Philadelphia Owners, in an amount not in excess of \$50,000 for damages together with all costs, expenses, attorney's fees and other amounts deem appropriate by the Honorable Court.

**Commented [LF18]:** If your case is a jury trial, then say "in an amount in excess of \$50,000..."

BY \_\_\_\_\_  
JANE DOE  
PRO SE LITIGANT

**VERIFICATION**

**JANE DOE, individually** avers that she is the plaintiff in this cause of action and that the facts set forth in **Plaintiff's Complaint** are true and correct to the best of my knowledge, information and belief. I understand that the statements contained in said pleading are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

By: \_\_\_\_\_  
**Jane Doe**

**Dated:** \_\_\_\_\_