

IN THE CIRCUIT COURT FOR MADISON COUNTY, ALABAMA

GLENN L. MCDUFFIE,

PLAINTIFF,

VS.

CIVIL ACTION NO. CV86-180B

WESTINGHOUSE ELECTRIC CORPORATION; a foreign corporation; RICHARD W. HUNT; ALI SHOJAEI; A, B, C, whether singular or plural, being those persons, firms, corporation or other entity who or which were in any way responsible for the planning, conspiracy, or actual assault and battery, negligent and wanton conduct, and outrageous conduct against the Plaintiff, whose names are otherwise unknown at this time but will be added by amendment when ascertained; X, Y, Z, whether singular or plural, being those persons, firms, corporation or other entity who or which had any responsibility for the incidence complained of in this suit, whose names are otherwise unknown at this time but will be added by amendment when ascertained,

DEFENDANTS.

COMPLAINT

STATEMENT OF FACTS

On or about the 28th day of July, 1984, in Madison County, Alabama, the Plaintiff was involved in a Title 7 discrimination suit against Westinghouse Electric Corporation. During the course of the litigation, the

Plaintiff received numerous threatening phone calls and was followed on many occasions. On the night of July 28, 1984, while exercising at Huntsville High School, an automobile driven by Richard W. Hunt, while acting in the line and scope of his employment as southeastern district manager for the Defendant Westinghouse Electric Corporation, attempted to run over the Plaintiff as he was attempting to enter his vehicle parked at the scene. The vehicle driven by the Defendant Richard W. Hunt missed the Plaintiff and struck the Plaintiff's vehicle causing damage thereto.

The Plaintiff immediately obtained the license plate number of the vehicle driven by Mr. Hunt and subsequently found that it was a license plate issued to Mr. Ali Shojae.

COUNT ONE

1. At all times pertinent hereto, Ali Shojae was a resident of Madison County, Alabama.

2. At all times pertinent hereto, Westinghouse Electric Corporation was a Pennsylvania corporation doing business in Madison County, Alabama.

3. On or about the 28th day of July, 1984, the Defendants Richard W. Hunt, Westinghouse Electric Corporation, and Ali Shojae as well as Defendants A, B, C, and X, Y, Z, either directly or indirectly committed an assault and battery on the Plaintiff.

WHEREFORE, Plaintiff demands judgment against the Defendant for the sum of ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS, and costs.

COUNT TWO

4. Plaintiff adopts and realleges paragraph 1 through 3 above and further avers as follows.

5. Defendant owed a duty of due care to the Plaintiff.

6. Defendants breached said duty by negligently or wantonly allowing a motor vehicle to be driven in a manner which caused injury to the Plaintiff who was a pedestrian at the time.

7. As a proximate result of the negligent and/or wanton conduct of the Defendants, the Plaintiff was caused

to suffer severe and great physical and mental pain, anguish and injury.

WHEREFORE, Plaintiff demands judgment against the Defendants for the sum of TWO MILLION TWO HUNDRED FIFTY THOUSAND (\$2,250,000.00) DOLLARS.

COUNT THREE

OUTRAGEOUS CONDUCT

8. Plaintiff adopts and realleges paragraph 1 through 7 above and further avers as follows.

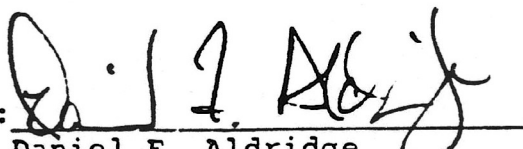
9. On or about the 28th day of July, 1984, the conduct of the Defendants was so outrageous in character and so extreme in degree as to go beyond all possible bounds of decency and to be regarded as atrocious and utterly intolerable in a civilized society. Such conduct did, in fact, cause emotional and physical distress to the Plaintiff.

10. As a proximate consequence of this outrageous conduct of Defendant Richard W. Hunt, Defendant Westinghouse Electric Corporation, Defendant Ali Shojaee, and Defendants A, B, C, and X, Y, Z, Plaintiff was caused to suffer severe bodily injury and extensive, severe and great mental distress and anguish.

WHEREFORE, Plaintiff demands judgment against the Defendants in the sum of TWO MILLION TWO HUNDRED FIFTY THOUSAND (\$2,250,000.00) DOLLARS, compensatory and punitive damages and costs.

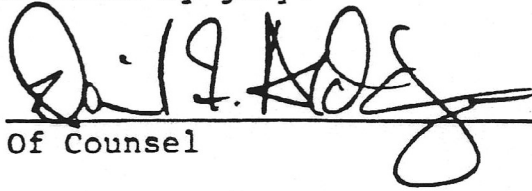
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JURY DEMAND

Plaintiff demands trial by jury.



Of Counsel