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SEC. 22

638535

DANIEL J. COHN, III

SUIT NO: \_\_\_\_\_ DIV.: \_\_\_\_\_

VERSUS

19<sup>TH</sup> JUDICIAL DISTRICT COURT

PROGRESSIVE PALOVERDE INSURANCE  
COMPANY AND SUJAD EHLERS

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes petitioner DANIEL J. COHN, III, a person of the full age of majority and domiciled in the Parish of East Baton Rouge, State of Louisiana, who respectfully represents:

1.

Made defendants herein are:

- A. **PROGRESSIVE PALOVERDE INSURANCE COMPANY** (hereinafter Progressive), a foreign insurer authorized to do and doing business in the State of Louisiana; and
- B. **SUJAD EHLERS**, a person of the full age of majority and domiciled in the Parish of East Baton Rouge, State of Louisiana.

2.

On or about April 15, 2014, petitioner Daniel J. Cohn, III was operating his 2005 Toyota Prius southbound on Antioch Road in the Parish of East Baton Rouge, State of Louisiana, when he brought his vehicle to a gradual and legal stop due to traffic congestion at the intersection of Antioch Road and Jefferson Highway; thereafter his vehicle was suddenly and negligently struck in the rear by a 2010 Nissan Armada owned and operated by defendant Sujad Ehlers and insured by defendant Progressive; thus defendant Sujad Ehlers caused the wreck and caused the petitioner to suffer personal injuries, damages and other losses.

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3.

The collision sued on herein is inexplicable without resort to the presumption of negligence and applicability of the doctrine of *res ipsa loquitur* in view of the fact that the vehicle driven by defendant Sujad Ehlers struck the petitioner's vehicle in the rear, which presumption and doctrine are especially invoked by the petitioner herein.

4.

The sole and proximate cause of the above-described collision was the negligence and/or fault of defendant Sujad Ehlers, including, but not limited to:

- A. Failing to maintain control of her vehicle;
- B. Failing to use due and diligent care;
- C. Failing to be attentive while operating a motor vehicle;
- D. Following the petitioner's vehicle too closely;
- E. Failing to maintain a proper lookout;
- F. Driving at an excessive rate of speed under the circumstances;
- G. Driving in a generally careless and negligent manner;
- H. Failing to act with the required degree of care commensurate with existing driving conditions;
- I. Failing to adhere to the provisions of La. R.S. 32:64, which requires operators to drive in a reasonably prudent manner under the conditions and potential hazards; and
- J. Other acts of negligence and/or fault to be shown more fully at trial of this case.

5.

At all times relevant hereto, defendant Sujad Ehlers was insured under an automobile liability policy of insurance issued by defendant Progressive, rendering defendant Progressive solidarily liable for all damages owed to the petitioner in amounts that are reasonable in the premises.

6.


As a result of the above-described collision, petitioner Daniel J. Cohn, III, has suffered injuries, damages and losses, including, but not limited to, mental and physical pain and suffering in connection with injuries, including the aggravation of pre-existing conditions, to his entire spine, including the upper and lower back, left leg down to his left foot, headaches, exacerbation of his pre-existing depression and anxiety issues, and other bodily injuries, as well as past and future medical expenses, loss of earning capacity, possible future loss of wages, and other damages that will be shown more fully at the trial of this matter, for which the defendants are obligated to the petitioner, *in solido*, in amounts that are reasonable in the premises.

**WHEREFORE**, petitioner **DANIEL J. COHN, III**, prays that after all due proceedings are had, judgment be rendered against the defendants, *in solido*, and in his favor awarding all damages, including compensatory damages – special and general damages, that are reasonable in the premises, together with judicial interest, all costs of this proceeding and all relief allowed by law.

Respectfully submitted,

By Attorneys:

**JOUBERT LAW FIRM, A.P.L.C.**



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**JOHN T. JOUBERT, LSBA NO. 25121**  
JOHN C. JACOBS, LSBA NO. 26662  
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**PLEASE SERVE:**

**PROGRESSIVE PALOVERDE INSURANCE COMPANY**

through its agent for service of process,  
J. Thomas "Tom" Schedler  
Louisiana Secretary of State  
8585 Archives Avenue  
Baton Rouge, LA 70809

**SUJAD EHLERS**

16024 Woodlawn Trails Avenue  
Baton Rouge, LA 70817

DANIEL J. COHN, III

VERSUS

PROGRESSIVE PALOVERDE INSURANCE  
COMPANY AND SUJAD EHLERS

SUIT NO: \_\_\_\_\_ DIV.: \_\_\_\_\_

19<sup>TH</sup> JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

**REQUEST FOR NOTICE OF TRIAL DATE, ETC.**

To the Clerk of the 19<sup>th</sup> Judicial District Court, within and for the Parish of East Baton Rouge, State of Louisiana:

PLEASE TAKE NOTICE that John T. Joubert of the JOUBERT LAW FIRM, A.P.L.C., does hereby request written notice of the date of the trial of the above matter as well as notice of hearings (whether on merits or otherwise), orders, judgments and interlocutory decrees, and any and all formal steps taken by the parties herein, the Judge or any member of the Court, as provided in Louisiana Code of Civil Procedure, particularly Article 1572, 1913 and 1914.

Respectfully submitted,

By Attorneys:

**JOUBERT LAW FIRM, A.P.L.C.**



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**APPENDIX 9.6**  
**LOUISIANA CIVIL CASE REPORTING**  
**Civil Case Cover Sheet - LA. R.S. 13:4688, Part G, §13 of the Louisiana Supreme Court**  
**General Administrative Rules, and Appendix 9.6 of the Louisiana District Court Rules**

**RECEIVED**  
**APR 13 2015**

This civil case cover sheet shall be completed by counsel for the petitioner, counsel's authorized representative, or by the self-represented litigant (if not represented by counsel) and submitted with the original petition filed with the court. The information should be the best available at the time of filing. This information does not constitute a discovery request, response or supplementation, and is not admissible at trial.

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**Suit Caption:**

DANIEL J. COHN, III

vs.

PROGRESSIVE PALOVERDE INSURANCE COMPANY  
AND SUJAD EHLERS

**Court:** 19TH JDC

**Docket Number:** 038535 - Sec 22

**Parish of Filing:** EAST BATON ROUGE

**Filing Date:** APRIL 13, 2015

**Name of Lead Petitioner's Attorney:** JOHN T. JOUBERT

**Name of Self-Represented Litigant:** N/A

**Number of named petitioners:** 1

**Number of named defendants:** 2

**Type of Lawsuit: Please check the categories which most appropriately apply to this suit (no more than 3 categories should be checked):**

Auto: Personal Injury

Auto: Property Damage

Auto: Wrongful Death

Auto: Uninsured Motorist

Asbestos: Property Damage

Asbestos: Personal Injury/Death

Product Liability

Premise Liability

Intentional Bodily Injury

Intentional Property Damage

Intentional Wrongful Death

Unfair Business Practice

Business Tort

Fraud

Defamation

Professional Negligence

Environmental Tort

Medical Malpractice

Intellectual Property

Toxic Tort

Legal Malpractice

Other Tort (describe below)

Other Professional Malpractice

Redhibition

Maritime

Class action (nature of case)

Wrongful Death

General Negligence

**Please briefly describe the nature of the litigation in one sentence of additional detail:**

MOTOR VEHICLE WRECK

Following the completion of this form by counsel, counsel's representative, or by the self-represented litigant, this document will be submitted to the Office of the Judicial Administrator, Supreme Court of Louisiana, by the Clerk of Court.

Name, address and contact information of person completing form:

Name JOHN T. JOUBERT

Signature 

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