

MORGAN & MORGAN PHILADELPHIA, PLLC
(A Professional Limited Liability Company formed in Florida)

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Our File No. 16063507

Attorneys for Plaintiff, Lisa Saint-Surin

<p>LISA SAINT-SURIN, Individually and as the Co-Administrator for the ESTATE OF JEREMIAH SAINT-SURIN,</p> <p style="text-align: center;"><i>vs.</i></p> <p>GERMAIN RAHN <i>and</i> EDWARD R. RAHN <i>and</i> JOHN DOE (1-10) (fictitious names, true names unknown at this time) <i>and</i> ABC COMPANY (1-10) (fictitious names, true names unknown at this time), a business entity authorized to do business in the state of New Jersey.</p> <p style="text-align: right;">Defendants.</p>	<p>: NEW JERSEY SUPERIOR COURT</p> <p>: ATLANTIC COUNTY</p> <p>: CIVIL/LAW DIVISION</p> <p>: Docket № _____</p> <p>: <i>CIVIL ACTION COMPLAINT, JURY DEMAND, NOTICE OF TRIAL COUNSEL, CERTIFICATIONS, DEMAND FOR DISCOVERY</i></p>
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COMPLAINT

AND NOW COMES the Plaintiff, Lisa Saint-Surin, individually and as the co-administrator for the Estate of Jeremiah Saint-Surin, by and through her counsel, Morgan & Morgan Philadelphia, PLLC, and hereby complains against the above-named Defendants, and in support thereof avers as follows:

PARTIES

1. The Plaintiff, Lisa Saint-Surin, is an adult individual who resides at 4826 Green Ash Lane, Mays Landing, 08330 (hereinafter “Plaintiff Lisa Saint-Surin”).

2. Plaintiff Lisa Saint-Surin's decedent, Jeremiah Saint-Surin, died on June 1, 2024 (hereinafter "Plaintiff Decedent").

3. Plaintiff Lisa Saint-Surin was appointed as the Co-Administrator and Co-Administrator Ad Prosequendum of the Estate of Jeremiah Saint-Surin following a hearing before the Atlantic County Surrogate Court on October 8, 2024.

4. The Defendant, Germain Rahn (hereinafter "Defendant Germain Rahn"), is an adult individual who resides at 106 Branch Hill Drive, Egg Harbor Township, NJ 08234.

5. Defendant, Edward R. Rahn (hereinafter "Defendant Edward R. Rahn"), is an adult individual who resides at 106 Branch Hill Drive, Egg Harbor Township, NJ 08234.

6. The Defendants herein are John Doe (1-10), various fictitious and currently unidentified individuals, corporations, and/or companies, duly organized and existing under and by virtue of the laws of the State of New Jersey and regularly conducting business in the State of New Jersey, including Atlantic County.

7. The Defendants herein are ABC Company (1-10), various fictitious and currently unidentified individuals, corporations, and/or companies, duly organized and existing under and by virtue of the laws of the State of New Jersey and regularly conducting business in the State of New Jersey, including Atlantic County.

FACTUAL BACKGROUND

8. At all times relevant hereto, Plaintiff Decedent was the operator of a 2003 Honda motorcycle.

9. At all times relevant hereto, Defendant Germain Rahn was the operator of 2021 Ford Explorer automobile, owned by Defendant Edward R. Rahn.

10. On June 4, 2024, at approximately 4:16 p.m., Plaintiff Decedent was travelling

eastbound on West Jersey Avenue in Egg Harbor Township, NJ, and was approaching the intersection with Cates Road.

11. At the same time and place, Defendant Germain Rahn, while operating the automobile owned by Defendant Edward R. Rahn, was travelling northbound on Cates Road and pulled out from a stop sign without the proper clearance or right of way, proceeding through the intersection with West Jersey Avenue and violently striking the Plaintiff Decedent.

12. As a direct and proximate result of the negligent, careless and reckless conduct of the Defendants herein, Plaintiff Decedent suffered severe bodily injuries, which resulted in his conscious pain and suffering and ultimately his death.

13. As a direct and proximate result of the negligent, careless and reckless conduct of the Defendants herein, Plaintiff Decedent suffered great physical pain and suffering, trauma, mental anguish, embarrassment and humiliation.

14. As a direct and proximate result of the negligent, careless and reckless conduct of the Defendants herein, Plaintiff Decedent's daily activities, occupation and usual life's pleasures were terminated.

15. As a direct and proximate result of the negligent, careless and reckless conduct of the Defendants herein, Plaintiff Decedent's earnings, earning capacity and employment opportunities were terminated.

16. As a direct and proximate result of the negligent, careless and reckless conduct of the Defendants herein, the Estate of Jeremiah Saint-Surin incurred liability for emergency medical services, funeral and household expenses.

17. At all relevant times hereto, Plaintiff Decedent acted in a safe, prudent and reasonable manner and in no way contributed to his injuries, damages or death.

FIRST COUNT
NEGLIGENCE / RECKLESSNESS
LISA SAINT-SURIN, CO-ADMINISTRATOR OF THE ESTATE OF JEREMIAH
SAINT-SURIN vs. GERMAIN RAHN

18. The preceding paragraphs are incorporated herein by reference by reference as though fully set forth.

19. The negligence, carelessness and/or recklessness of Defendant Germain Rahn consisted inter alia of the following:

- a. Failing to have said motor vehicle under proper and adequate control;
- b. Failing to stop for a clear and unobstructed stop sign;
- c. Failing to yield to vehicles with the right of way;
- d. Improperly entering an intersection without the proper clearance or right of way;
- e. Operating said motor vehicle improperly under the circumstances;
- f. Operating said motor vehicle in violation of the Motor Vehicle Code and applicable ordinances of the State of New Jersey;
- g. Failing to give proper and sufficient warning of the approach of said vehicle;
- h. Failing to operate said vehicle with due care and regard to the rights, safety and position of the plaintiff;
- i. Operating said vehicle with knowledge the plaintiff was in danger of being injured;
- j. Improperly entering the roadway;
- k. Otherwise failing to exercise due care under the circumstances; and
- l. Such other liability producing conduct as discovery shall disclose.

20. As a direct and proximate cause of the negligence and/or recklessness of the Defendant, Plaintiff decedent, Jeremiah Saint-Surin, suffered the above-mentioned harm.

WHEREFORE, the Plaintiff, Lisa Saint-Surin, individually, and as the Co-Administrator and Co-Administrator Ad Prosequendum for the Estate of Jeremiah Saint-Surin, demands judgment against the Defendants for damages, counsel fees, interest and costs of suit, plus all costs and other relief this court deems necessary, including punitive damages.

**SECOND COUNT
NEGLIGENT ENTRUSTMENT
LISA SAINT-SURIN, CO-ADMINISTRATOR OF THE ESTATE OF JEREMIAH
SAINT-SURIN vs. EDWARD R. RAHN**

21. The Plaintiff herein incorporates by reference the preceding paragraphs as though same were set forth fully at length herein.

22. The negligence and/or carelessness of Defendant Edward R. Rahn, which was a proximate cause of the aforesaid motor vehicle collision and the resultant injuries and damages sustained by the Plaintiff Decedent, consists of, but is not limited to, the following:

- a. Permitting Defendant Germain Rahn to operate the motor vehicle without first ascertaining whether or not he/she was capable of properly operating said vehicle;
- b. Permitting Defendant Germain Rahn to operate the motor vehicle when Defendant Edward R. Rahn knew, or in the exercise of due care and diligence, should have known that Defendant Germain Rahn was capable of committing the acts of negligence set forth above;
- c. Failing to warn those persons, including the Plaintiff Decedent, that Defendant Edward R. Rahn knew, or in the existence of due care and diligence should have known, that the Plaintiff Decedent would be exposed

to Defendant Germain Rahn's negligent operation of the motor vehicle.

24. The accident herein was in no way due to any act or failure to act on the part of the Plaintiff Decedent.

WHEREFORE, the Plaintiff, Lisa Saint-Surin, individually, and as the Co-Administrator and Co-Administrator Ad Prosequendum for the Estate of Jeremiah Saint-Surin, demands judgment against the Defendants for damages, counsel fees, interest and costs of suit, plus all costs and other relief this court deems necessary, including punitive damages.

**THIRD COUNT
WRONGFUL DEATH
LISA SAINT-SURIN, CO-ADMINISTRATOR OF THE ESTATE OF JEREMIAH
SAINT-SURIN vs. ALL DEFENDANTS**

25. The preceding paragraphs are incorporated herein by reference as though fully set forth.

26. Plaintiff brings this action pursuant to N.J.S.A. 2A:31-1, et. Seq., the New Jersey Wrongful Death Act and claims all benefits of the Wrongful Death Act on behalf of herself and all other persons entitled to recover under the law.

27. As a direct and proximate result of the foregoing, Plaintiff Decedent's Wrongful Death beneficiaries have been, continue to be, and will in the future be deprived of his counsel, services, companionship, society, guidance and all other damages recoverable under the Wrongful Death Act.

28. As a direct and proximate result of the negligent, careless and reckless conduct of the Defendants as set forth above, which is incorporated herein, Plaintiff Decedent Jeremiah Saint-Surin's Wrongful Death beneficiaries suffered, are suffering, and will, for an indefinite period of time into the future, suffer damages, injuries and losses including but not limited to, a loss of

financial support, and the beneficiaries have been wrongfully deprived of the contributions they would have received from him, including monies which he would have provided for items such as clothing, food, shelter, medical care, education, entertainment, recreation and gifts.

29. As a direct and proximate result of the negligent, careless and reckless conduct of the Defendants as set forth above, which is incorporated herein, Plaintiff Decedent Jeremiah Saint-Surin's Wrongful Death beneficiaries have been caused to incur and pay various expenses for medical treatment, hospital care, custodial care, nursing care, medications and funeral and other expenses related to his death.

WHEREFORE, the Plaintiff, Lisa Saint-Surin, individually, and as the Co-Administrator and Co-Administrator Ad Prosequendum for the Estate of Jeremiah Saint-Surin, demands judgment against the Defendants for damages, counsel fees, interest and costs of suit, plus all costs and other relief this court deems necessary, including punitive damages.

FOURTH COUNT
SURVIVAL ACTION OF LISA SAINT-SURIN, CO-ADMINISTRATOR OF THE
ESTATE OF JEREMIAH SAINT-SURIN vs. ALL DEFENDANTS

30. The preceding paragraphs are incorporated herein by reference as though fully set forth.

31. In her capacity as Co-Administrator of the Estate of Jeremiah Saint-Surin, the Plaintiff, Lisa Saint-Surin, brings this action pursuant to N.J.S.A. 2A:15-3, et. Seq., the New Jersey Survivors Act.

32. This civil action is brought to recover on behalf of the Estate of Jeremiah Saint Surin, deceased, who was nineteen (19) years old at the time of his untimely death, and according to the 2020 New Jersey life expectancy tables had 49.2 years left of expected life.

33. As a direct and proximate result of the previously pled facts and actions of the

Defendants, Plaintiff Decedent endured great physical and emotional suffering, pain, anguish, humiliation, embarrassment and loss of enjoyment of life.

34. As a direct and proximate result of the previously pled facts and actions of the Defendants, Plaintiff Decedent incurred substantial future lost wages, out of pocket medical expenses, and loss of life's pleasures.

35. As a direct and proximate result of the previously pled facts and actions of the Defendants, Plaintiff Decedent's heirs will be deprived of guidance, love, tutelage, companionship, support and comfort, which they would have received from him for the remainder of his natural life.

36. Plaintiff's claim, on behalf of the Estate of Jeremiah Saint-Surin, deceased, includes damages for his physical and emotional pain and suffering, embarrassments, humiliation, loss of the enjoyment of life, and for his future loss of earnings and earning capacity, resulting from his untimely death.

WHEREFORE, the Plaintiff, Lisa Saint-Surin, individually, and as the Co-Administrator and Co-Administrator Ad Prosequendum for the Estate of Jeremiah Saint-Surin, demands judgment against all of the Defendants, jointly, severally and in the alternative, pursuant to N.J.S.A. 2A:15-3, et. Seq., the New Jersey Survivor's Act, for damages, plus costs of suit, interest, attorney's fees, and any and all other relief as the Court deems just and proper, including punitive damages.

FIFTH COUNT
PUNITIVE DAMAGES AS TO ALL DEFENDANTS ON BEHALF OF THE PLAINTIFF,
INDIVIDUALLY AND AS CO-ADMINISTRATOR OF THE DECEDENT

37. The preceding paragraphs are incorporated herein by reference by reference as though fully set forth.

38. By virtue of the actions set forth in the above paragraphs of the complaint, Defendants are liable to Plaintiffs for punitive damages by virtue of the facts pled in the above paragraphs, such that pain, suffering, untimely death of Jeremiah Saint-Surin, and the damages suffered by his heirs were a direct and proximate result of the actions of the Defendants.

39. Furthermore, the acts pled against the Defendants were done with a willful and wanton disregard of the Plaintiffs, such that the harm coming to the Plaintiff Decedent was reasonably foreseeable.

WHEREFORE, the Plaintiff, Lisa Saint-Surin, individually, and as the Co-Administrator and Co-Administrator Ad Prosequendum for the Estate of Jeremiah Saint-Surin, demands judgment against the Defendants for damages, counsel fees, interest and costs of suit, plus all costs and other relief this court deems necessary, including punitive damages.

SIXTH COUNT
LISA SAINT-SURIN, CO-ADMINISTRATOR OF THE ESTATE OF JEREMIAH
SAINT-SURIN vs. JOHN DOE (1-10)

40. Plaintiff herein incorporates by reference the preceding paragraphs as though same were set forth fully at length herein.

41. Plaintiff prays leave of Court to seasonably amend this Complaint and name the true identities of the John Doe (1-10) if and when their true identities and roles in the within matter are ascertained by Plaintiff.

WHEREFORE, the Plaintiff, Lisa Saint-Surin, individually, and as the Co-Administrator and Co-Administrator Ad Prosequendum for the Estate of Jeremiah Saint-Surin, demands judgment against the Defendants for damages, counsel fees, interest and costs of suit, plus all costs and other relief this court deems necessary, including punitive damages.

SEVENTH COUNT
LISA SAINT-SURIN, CO-ADMINISTRATOR OF THE ESTATE OF JEREMIAH
SAINT-SURIN vs. ABC COMPANY (1-10)

42. Plaintiff herein incorporates by reference the preceding paragraphs as though same were set forth fully at length herein.

43. Plaintiff prays leave of Court to seasonably amend this Complaint and name the true identities of the ABC Company (1-10) if and when their true identities and roles in the within matter are ascertained by Plaintiff.

WHEREFORE, the Plaintiff, Lisa Saint-Surin, individually, and as the Co-Administrator and Co-Administrator Ad Prosequendum for the Estate of Jeremiah Saint-Surin, demands judgment against the Defendants for damages, counsel fees, interest and costs of suit, plus all costs and other relief this court deems necessary, including punitive damages.

Respectfully submitted,

**MORGAN & MORGAN
PHILADELPHIA, PLLC**

BY:



ALEXANDER C. HYDER, ESQUIRE
Trial Counsel for Plaintiff, Lisa Saint-Surin

DATE: October 11, 2024

JURY DEMAND

The Plaintiff demands trial by a jury on all of the triable issues of this complaint, pursuant to New Jersey Court Rules 1:8-2(b) and 4:35-1(a).

DEMAND FOR DISCOVERY

Plaintiff hereby demands that Defendant provide certified answers to Uniform Form C and Form C(1) interrogatories within the time prescribed by the New Jersey Rules of Court.

NOTICE TO PRODUCE

The Plaintiff, by attorney Alexander C. Hyder, Esquire hereby demands that you produce for inspection and reproducing within thirty (30) days of the date hereof:

1. Copies of any contracts, agreements, invoices, receipts, bills, hospital records, or writing or documents of any kind regarding any party or person who claims injuries in this action.
2. Copies of any and all medical reports, medical bills, hospital records, or writing or documents of any kind regarding any party or person who claims injuries in this action.
3. Copies of any and all reports, letters or statements from any expert regarding liability or damages in this matter, including but not limited to any medical expert witnesses, intended or not intended to be called at the time of trial.
4. Copies of any and all books, treatises, commentaries, reports, statutes, codes, ordinances, rules, regulations or other published documents referred to and utilized by or relied upon by any expert witness whom you intend to call at the time of trial.
5. Copies of any and all photographs regarding the accident scene or vehicles

involved, damages, injuries or liability.

6. Copies of all statements, summaries of statements, or notes or writings of any kind regarding statements made by Plaintiffs, any witnesses, or any other party to this action.

7. Copies of any and all reports rendered by any public or private agency or department arising out of any investigation of the incident or damages.

8. Any and all motion pictures, videotapes, films, photographs, re-enactments, diagrams, charts or exhibits of any kind that will be introduced or used at trial, or deal with the scene of the accident, the accident itself, or injuries involved herein.

9. Copies of any and all statements that will be used at trial, or will be used to cross-examine or impeach any witness.

10. Copies of any and all correspondence, documents, or writings of any kind that you or your attorney or representative received from any party to this action, their attorneys, representative or employees.

11. Any and all blueprints, charts, diagrams, drawings, graphs, maps, plans, photographs, models or other visual reproductions of any objects, place or thing prepared or utilized by, referred to or relied upon by any expert witnesses you intend to call at the time of trial.

12. Any and all statements made by any party to this lawsuit, whether written or oral, including statements of a party's agent, representative or employee.

13. Any and all statements made by any witnesses to the events described in the Complaint.

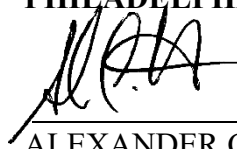
14. Any and all statements made by any person and any statements made by any eye-witnesses which relate or refer in any way to the incident described in the Complaint.

DEMAND FOR INSURANCE INFORMATION

Plaintiff hereby demands, pursuant to R. 4:10-2(b), disclosure to the undersigned of whether there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action against the Defendant, or to indemnify or reimburse for payments made to satisfy the judgment and provide, under oath or certification (a) the number of said policy(ies); (b) the name and address of the insurer(s) or issuer(s); (c) the inception and expiration date(s); (d) the names and addresses of all persons insured thereunder; (e) the personal injury limits; (f) the property damage limits; (g) the medical payment limits; (h) the uninsured/underinsured policy limits; (i) the name and address of any person who has custody and possession thereof; and (j) where and when each policy or agreement can be inspected and copied.

**MORGAN & MORGAN
PHILADELPHIA, PLLC**

BY:




ALEXANDER C. HYDER, ESQUIRE
Trial Counsel for Plaintiff, Lisa Saint-Surin

DATE: October 11, 2024

DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:25-4, Alexander C. Hyder, Esquire is hereby designated as trial counsel for Plaintiff in the above matter.

**MORGAN & MORGAN
PHILADELPHIA, PLLC**

BY: 

ALEXANDER C. HYDER, ESQUIRE
Trial Counsel for Plaintiff, Lisa Saint-Surin

DATE: October 11, 2024

DEMAND FOR DISCLOSURE OF NON-PARTIES PURSUANT TO R.4:5-1(b)(2)


Please take notice that Plaintiff(s) hereby demands strict compliance with R.4:5-1(b)(2) which requires that “each party shall disclosure in the certification the names of any non-party who should be joined in the action pursuant to R.4:28 or who is subject to joinder pursuant to R.29-1(b) because of potential liability to any party on the basis of the same transaction facts.”

Plaintiff(s) hereby demands that Defendant(s) review all available records, undertake reasonable investigation and determine the identity of any other individuals pursuant to R.4:5-1(b)(2).

The failure to identify non-parties pursuant to this rule will result in an application for sanctions as well as for expenses incurred in connection with the discovery of individuals who should have been identified pursuant to the rule.

**MORGAN & MORGAN
PHILADELPHIA, PLLC**

BY:



ALEXANDER C. HYDER, ESQUIRE
Trial Counsel for Plaintiff, Lisa Saint-Surin

DATE: October 11, 2024

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Our File No. 16063507

Attorneys for Plaintiff, Lisa Saint-Surin

<p>LISA SAINT-SURIN, Individually and as the Co-Administrator for the ESTATE OF JEREMIAH SAINT-SURIN,</p> <p style="text-align: center;"><i>vs.</i></p> <p>GERMAIN RAHN <i>and</i> EDWARD R. RAHN <i>and</i> JOHN DOE (1-10) (fictitious names, true names unknown at this time) <i>and</i> ABC COMPANY (1-10) (fictitious names, true names unknown at this time), a business entity authorized to do business in the state of New Jersey.</p> <p style="text-align: right;">Defendants.</p>	<p>: NEW JERSEY SUPERIOR COURT</p> <p>: ATLANTIC COUNTY</p> <p>: CIVIL/LAW DIVISION</p> <p>: Docket № _____</p> <p>: <i>CIVIL ACTION COMPLAINT, JURY DEMAND, NOTICE OF TRIAL COUNSEL, CERTIFICATIONS, DEMAND FOR DISCOVERY</i></p>
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NOTICE OF PRESERVATION OF EVIDENCE

PLAINTIFF HEREBY DEMANDS AND REQUESTS THAT DEFENDANT TAKE NECESSARY ACTION TO ENSURE THE PRESERVATION OF ALL DOCUMENTS, COMMUNICATIONS, WHETHER ELECTRONIC OR OTHERWISE, ITEMS AND THINGS IN THE POSSESSION OR CONTROL OF ANY PARTY TO THIS ACTION, OR ANY ENTITY OVER WHICH ANY PARTY TO THIS ACTION HAS CONTROL, OR FROM WHOM ANY PARTY TO THIS ACTION HAS ACCESS TO, ANY DOCUMENTS, ITEMS, OR THINGS WHICH MAY IN ANY MANNER BE RELEVANT TO OR RELATE TO THE

SUBJECT MATTER OF THE CAUSES OF ACTION AND/OR THE ALLEGATIONS OF
THIS COMPLAINT.

**MORGAN & MORGAN
PHILADELPHIA, PLLC**

BY: 

ALEXANDER C. HYDER, ESQUIRE
Trial Counsel for Plaintiff, Lisa Saint-Surin

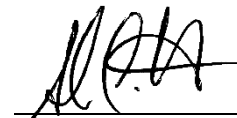
DATE: October 11, 2024

CERTIFICATION

Pursuant to Rule 4:5-1, I hereby certify, to the best of my knowledge, that the matter in controversy is not the subject of any other action pending in any court or the subject of a pending arbitration proceeding, nor is any other action or arbitration proceeding contemplated.

**MORGAN & MORGAN
PHILADELPHIA, PLLC**

BY:



ALEXANDER C. HYDER, ESQUIRE

Trial Counsel for Plaintiff, Lisa Saint-Surin

DATE: October 11, 2024