

GENERAL AVERMENTS

1. Plaintiff, Paul Calderaio, is an adult individual who resides at the address listed.
2. Defendant Tashaun Timan Barnes, is an adult individual who resides at the address listed, and at all times relevant hereto was an agent of Defendant Sean Bryan, and was in the scope of agency.
3. Defendant Sean Bryan, is an adult individual who resides at the address listed.
4. Plaintiff Paul Calderaio was not negligent in the operation of his vehicle, at all times relevant hereto.
5. On March 8, 2023 at approximately 4:00 p.m., Plaintiff Paul Calderaio was operating a 2008 Hyundai in the rear parking lot of the Buckingham Green Shopping Center and in the process of passing by shops #6 and #7 in Buckingham Township, Bucks County, Pennsylvania.
6. At the above time and place, Defendant Tashaun Timan Barnes was operating a 2020 Nissan Sentra owned by co-Defendant Sean Bryan, and was backing out of a parking space, when he caused the rear of his vehicle to strike the Plaintiff vehicle on it's driver side front quarter panel, wheel well, and doors; and in Plaintiff's lane of travel.
7. The accident resulted solely from the negligence, carelessness and recklessness of the Defendant Tashaun Timan Barnes, which includes the following:

- (a) failing to have said motor vehicle under proper and adequate control;
- (b) failing to exercise due care and caution under the circumstances;
- (c) failing to make proper observations;
- (d) traveling too fast;
- (e) failing to take evasive action; no braking/steering;
- (f) operating said motor vehicle without due regard for the rights, safety and position of Plaintiff;
- (g) failing to keep a proper lookout for oncoming cars because of looking at GPS, by admission;
- (h) failing to yield to Plaintiff in Plaintiff's lane of travel;
- (i) violating the various ordinances and laws of the City and County of Philadelphia and the statutes of the Commonwealth of Pennsylvania pertaining to the operation and control of motor vehicles;
- (j) failure to use due care under the circumstances; and
- (k) negligence as a matter of law.

COUNT I
PLAINTIFF, PAUL CALDERAIO V. DEFENDANTS

8. The averments contained in the preceding paragraphs are incorporated herein as though set forth at length.

9. As a result of the above accident, Plaintiff suffered severe and permanent injuries, including but not limited to a right rotator cuff tear, right biceps tendon partial tear, right shoulder impingement syndrome, traumatic acromioclavicular joint arthritis, right bicipital tendosynovitis, multiple contusions and abrasions, damage to the bones, nerves, and soft tissues, anguish and anxiety, depression, pain and suffering, a loss of life's pleasures, and additional injuries not yet ascertainable.

10. As a result of the injuries, Plaintiff was restricted in undergoing needed therapy and treatments for a heart condition resulting in delayed care.

11. As a result of the above injuries, Plaintiff incurred medical treatment and medical bills to his financial detriment, and has had to incur various other expenses, and may be obligated to continue to expend or incur such expenditures for an indefinite time in the future.

12. As a result of the above injuries, Plaintiff was disabled, and suffered a loss of income and a loss of earning capacity, and will continue to incur such losses in the future.

WHEREFORE, Plaintiff demands judgment against Defendant, for an amount in excess of the arbitration limits.

LAW OFFICES OF KARDOS & GOCH

BY: Mark S. Kardos
MARK S. KARDOS, ESQUIRE
Attorney for Plaintiff

VERIFICATION

MARK S. KARDOS, ESQUIRE states that he is the attorney for the within Plaintiffs and that the facts set forth in the foregoing pleading are true and correct to the best of his knowledge, information and belief, and this statement is made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

Mark S. Kardos

MARK S. KARDOS, ESQUIRE