

COUNT XIV
NEGLIGENCE – WRONGFUL DEATH
CITY OF SAVANNA, ILLINOIS AND SAVANNA COMMUNITY AMBULANCE
ASSOCIATION

210. Plaintiffs reallege and incorporate the allegations contained in paragraphs 1 through 52 as paragraph 210 as if restated herein.

211. On and before July 28, 2024, and all relevant times herein, Illinois State Route 78 was a public roadway that generally ran northwest and southeast at or near the intersection of Illinois State Route 78 and Lowden Road in the Village of Mt. Carroll, County of Carroll, State of Illinois.

212. On and before July 28, 2024, and all relevant times herein, Lowden Road was a public roadway that generally ran north and south at or near the intersection of Illinois State Route 78 and Lowden Road in the Village of Mt. Carroll, County of Carroll, State of Illinois.

213. On July 28, 2024, at approximately 3:33 a.m., and all relevant times herein, Defendant, MATTHEW HERPSTREITH, operated, maintained, managed, and/or controlled a motor vehicle on Illinois State Route 78 at approximately one-quarter mile south of the intersection of Illinois State Route 78 and Lowden Road in the Village of Mt. Carroll, County of Carroll, State of Illinois.

214. On July 28, 2024, at approximately 3:33 a.m., and all relevant times herein, Plaintiffs' decedent, JACKSON KRADLE, was a pedestrian on Illinois State Route 78 at approximately one-quarter mile south of the intersection of Illinois State Route 78 and Lowden Road in the Village of Mt. Carroll, County of Carroll, State of Illinois.

215. On July 28, 2024, at approximately 3:33 a.m., and all relevant times herein, Defendant, MATTHEW HERPSTREITH, caused his vehicle to strike JACKSON KRADLE.

216. On July 28, 2024, at approximately 3:33 a.m., and all relevant times herein, Defendant, AMY HUBBLE, as agent and/or employee of CITY OF SAVANNA, ILLINOIS and SAVANNA COMMUNITY AMBULANCE ASSOCIATION, reported the medical status of JACKSON KRADLE as deceased.

217. On July 28, 2024, at approximately 3:33 a.m., and all relevant times herein, Defendants, CITY OF SAVANNA, ILLINOIS and SAVANNA COMMUNITY AMBULANCE ASSOCIATION, by and through their agent and/or employee, AMY HUBBLE, was intoxicated and not qualified to render a determination as to JACKSON KRADLE.

218. On July 28, 2024, and all relevant times herein, Defendants, CITY OF SAVANNA, ILLINOIS AND SAVANNA COMMUNITY AMBULANCE ASSOCIATION, by and through their agent and/or employee, AMY HUBBLE, undertook a duty to provide medical care to JACKSON KRADLE.

219. On July 28, 2024, and all relevant times herein, Defendants, CITY OF SAVANNA, ILLINOIS AND SAVANNA COMMUNITY AMBULANCE ASSOCIATION, by and through their agent and/or employee, AMY HUBBLE, breached said duty where they failed to exercise ordinary care and acted with utter indifference and conscious disregard to the care and treatment of JACKSON KRADLE where they pronounced him deceased on scene and advised that paramedics should not be called to the scene of the crash.

220. On July 28, 2024, and all relevant times herein, Defendants, CITY OF SAVANNA, ILLINOIS AND SAVANNA COMMUNITY AMBULANCE ASSOCIATION, by and through their agent and/or employee, AMY HUBBLE, breached said duty and was negligent or willful and wanton in one or more of the following ways:

- a. Failed to respond with ordinary care and with utter indifference and conscious disregard to the scene of JACKSON KRADLE;

- b. Disregarded JACKSON KRADLE's well-being with knowledge that JACKSON KRADLE needed the assistance of paramedics without ordinary care and with utter indifference and conscious disregard to JACKSON KRADLE's safety;
- c. Failed to take reasonable action to summon medical care where she knew from her observations that JACKSON KRADLE was in need of immediate medical care with utter indifference to or in conscious disregard for the safety of others; and
- d. Was otherwise negligent or willful and wanton.

221. As a direct and proximate result of one or more of the aforementioned acts and/or omissions, Defendants, CITY OF SAVANNA, ILLINOIS AND SAVANNA COMMUNITY AMBULANCE ASSOCIATION, by and through their agent and/or employee, AMY HUBLE, denied JACKSON KRADLE the chance to survive the crash on July 28, 2024.

222. As a direct and proximate result of the conduct of the Defendants, CITY OF SAVANNA, ILLINOIS and SAVANNA COMMUNITY AMBULANCE ASSOCIATION, by and through their agent and/or employee, AMY HUBLE, Plaintiff's Decedent, JACKSON KRADLE, died.

223. Plaintiffs, DIANA KRADLE AND JOSHUA SISLER, as Co-Independent Administrators of the Estate of JACKSON KRADLE, Deceased, bring this action pursuant to the Wrongful Death Act in the State of Illinois, 740 ILCS 180/1, *et seq.*

224. Plaintiffs' decedent, JACKSON KRADLE, left surviving next-of-kin, each of whom sustained pecuniary and non-pecuniary losses as a result of the death of JACKSON KRADLE, including but not limited to loss of companionship, love, society, guidance, and affection as well as grief, sorrow, and emotional suffering.

WHEREFORE, Plaintiffs respectfully request: (a) Compensatory damages in an amount in excess of jurisdictional limits to be determined at trial; (b) An award of reasonable attorneys' fees, costs, and litigation expenses; and (c) Such other relief as the Court may deem just or equitable.