

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT DEPARTMENT  
CIVIL ACTION NO.

JANET KERRIGAN,  
Plaintiff

v.

MARK KERRIGAN  
Defendant

FILED  
IN THE OFFICE OF THE  
CLERK OF COURTS  
FOR THE COUNTY OF MIDDLESEX  
APR 11 2008  
CLERK

08-1476

COMPLAINT

PARTIES

- The Plaintiff, Janet Kerrigan, is an individual residing in Billerica, Commonwealth of Massachusetts.
- The Defendant currently resides at Billerica House of Corrections, Treble Cove Road, Billerica, Massachusetts.

5722ED00004/11/08CIVIL	240.00
5722ED00004/11/08SUR CHARGE	15.00
5722ED00004/11/08SUMMONS	5.00
5722ED00004/11/08SEC	20.00

FACTS

- On or about March 4, 2006, the Defendant assaulted and battered the Plaintiff.
- The Plaintiff was placed in fear of bodily harm when the Defendant intentionally and with accompanying overt acts threatened to inflict bodily harm upon the Plaintiff.
- The Plaintiff suffered bodily harm when the Defendant punched her in the face, and threw her to the ground.
- The Plaintiff suffered injuries of the body and mind, incurred expenses for medical care and attendance, lost time from her usual employ, and incurred expenses for legal representation as the natural and proximate consequences of the Defendant's actions.

COUNT I

(Janet Kerrigan v. Mark Kerrigan/Assault and Battery)

- The Plaintiff repeats, realleges, and incorporates by reference as if set forth hereto in their entirety Paragraphs 1 through 6 of this Complaint.
- The Defendant committed an assault and battery upon the Plaintiff when he intentionally, and without permission, punched the Plaintiff in the face.
- As the natural and proximate consequences of the Defendant's actions, the Plaintiff was placed in imminent fear of bodily harm; sustained injuries of the body and mind; incurred

expenses for medical care and attendance; lost time from her usual employ; and incurred expenses for legal representation as the natural and proximate consequences of the Defendant's actions.

- 10. At no time during the above actions did the Plaintiff consent to the actions of the Defendant.

**WHEREFORE**, the Plaintiff, Janet Kerrigan, demands judgment against the defendant, Mark Kerrigan in the amount of thirty thousand dollars (\$30,000), on Count I, plus interest and cost of this action.

**COUNT II**  
**(Janet Kerrigan v. Mark Kerrigan/Assault and Battery)**

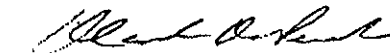
- 11. The Plaintiff repeats, realleges, and incorporates by reference as if set forth hereto in their entirety Paragraphs 1 through 10 of this Complaint.
- 12. The Defendant committed assault and battery upon the Plaintiff when he intentionally, and without permission, threw her to the ground.
- 13. As the natural and proximate consequences of the Defendant's actions, the Plaintiff was placed in imminent fear of bodily harm; sustained injuries of the body and mind; incurred expenses for medical care and attendance; lost time from her usual employ; and incurred expenses for legal representation as the natural and proximate consequences of the Defendant's actions.
- 14. At no time during the above actions did the Plaintiff consent to the actions of the Plaintiff.

**WHEREFORE**, the Plaintiff, Janet Kerrigan, demands judgment against the defendant, Mark Kerrigan in the amount of seventy thousand dollars (\$70,000), on Count I, plus interest and cost of this action.

THE PLAINTIFF DEMANDS A TRIAL BY JURY ON ALL COUNTS.

Dated: April 10, 2008

Respectfully Submitted,  
Janet Kerrigan  
By her Attorney,



Mark Alan Perkins, Esq.

200 South Street, [REDACTED]

[REDACTED], MA [REDACTED]

[REDACTED]

BBO# 648203

CIVIL ACTION COVER SHEET	Trial Court of Massachusetts SUPERIOR COURT DEPARTMENT County: <u>MIDDLESEX</u>	Docket Number <span style="font-size: 1.2em; font-weight: bold;">08-1476</span>
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PLAINTIFF(S) <u>JANET KERRIGAN</u>	DEFENDANT(S) <u>MARK KERRIGAN</u>
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ATTORNEY, FIRM NAME, ADDRESS AND TELEPHONE <u>MARK ALAN PERKINS, [REDACTED]</u> <u>Ste. 25, Wilmington, [REDACTED]</u> Board of Bar Overseers number: <u>[REDACTED]</u>	ATTORNEY (if known)
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Origin code and track designation

Place an x in one box only:

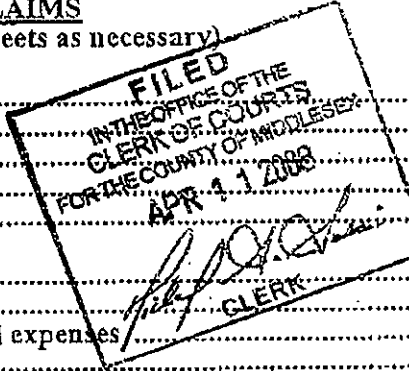
<input checked="" type="checkbox"/> 1. F01 Original Complaint	<input type="checkbox"/> 4. F04 District Court Appeal c.231, s. 97 &104 (After trial) (X)
<input type="checkbox"/> 2. F02 Removal to Sup.Ct. C.231,s.104 (Before trial) (F)	<input type="checkbox"/> 5. F05 Reactivated after rescript; relief from judgment/ Order (Mass.R.Civ.P. 60) (X)
<input type="checkbox"/> 3. F03 Re-transfer to Sup.Ct. C.231,s.102C (X)	<input type="checkbox"/> 6. E10 Summary Process Appeal (X)

CODE NO.	TYPE OF ACTION (specify)	TRACK	IS THIS A JURY CASE?
<u>B99</u>	<u>Assault + Battery</u>	<u>(F)</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

The following is a full, itemized and detailed statement of the facts on which plaintiff relies to determine money damages. For this form, disregard double or treble damage claims; indicate single damages only.

**TORT CLAIMS**  
(Attach additional sheets as necessary)

A. Documented medical expenses to date:	
1. Total hospital expenses .....	\$.....
2. Total Doctor expenses .....	\$.....
3. Total chiropractic expenses .....	\$.....
4. Total physical therapy expenses .....	\$.....
5. Total other expenses (describe) .....	\$.....
	Subtotal \$.....
B. Documented lost wages and compensation to date .....	\$.....
C. Documented property damages to date .....	\$.....
D. Reasonably anticipated future medical and hospital expenses .....	\$.....
E. Reasonably anticipated lost wages .....	\$.....
F. Other documented items of damages (describe) .....	\$.....
	\$ <u>80,000</u>
G. Brief description of plaintiff's injury, including nature and extent of injury (describe) <u>Pain and suffering</u> <u>Plaintiff sustained a black &amp; blue eye, <del>and</del> and</u> <u>Shoulder injury that required surgery.</u>	\$.....
<b>TOTAL: \$ <u>100,000</u></b>	



**CONTRACT CLAIMS**  
(Attach additional sheets as necessary)

Provide a detailed description of claim(s):

TOTAL \$.....

PLEASE IDENTIFY, BY CASE NUMBER, NAME AND COUNTY, ANY RELATED ACTION PENDING IN THE SUPERIOR COURT DEPARTMENT

"I hereby certify that I have complied with the requirements of Rule 5 of the Supreme Judicial Court Uniform Rules on Dispute Resolution (SJC Rule 1:18) requiring that I provide my clients with information about court-connected dispute resolution services and discuss with them the advantages and disadvantages of the various methods."

Signature of Attorney of Record [Signature] DATE: 4/6/08

A.O.S.C. 3-2007