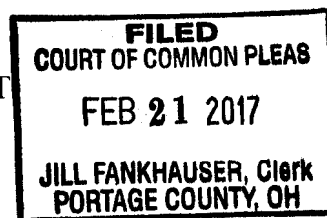


NK1

IN THE PORTAGE COUNTY COMMON PLEAS COURT
PORTAGE COUNTY, OHIO



State Farm Fire and Casualty Company
a/s/o Michael Di Cesare
P.O. Box 106173
Atlanta, GA 30348-6173

CASE NO.

JUDGE **2017 CV 00177**

Plaintiff,

JUDGE BECKY L. DOHERTY

-vs.-

COMPLAINT

Pulte Home Corporation
c/o Lawyers Inc. Service,
Registered Agent
50 W. Broad Street, Suite 1800
Columbus, OH 43215

and

John Doe 1
Name Unknown
Address Unknown

and

John Doe 2
Name Unknown
Address Unknown

Defendants.

NOW COMES THE PLAINTIFF, by and through counsel, and for its Complaint against Defendants, states the following:

COUNT I

1. All of the events that are the subject of this Complaint occurred on or about February 25, 2016, in the City of Aurora, Portage County, State of Ohio.
2. At all times relevant, the true names and addresses of Defendant John Doe 1 and John Doe 2 have been, and remain, unknown despite Plaintiff's attempts to discover his name and address, but these Defendants are individuals believed to be involved in this loss.

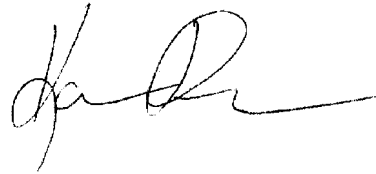
3. At all times relevant, Plaintiff's insured Michael Di Cesare, ("Cesare") owned property at 720 Joseph Drive, Aurora, Ohio.
4. At all times relevant, Plaintiff State Farm Fire and Casualty Company, ("State Farm") insured Cesare's property.
5. Upon information and belief, Defendant Pulte Home Corporation and/or Defendants John Doe 1 and John Doe 2 negligently performed installation services at or near 720 Joseph Drive, Aurora, Ohio, causing damage to real property owned by Cesare.
6. As a direct and proximate result of Defendant Pulte Home Corporation and/or Defendants John Does' negligence, Plaintiff's insured property was damaged and/or reduced in value in the amount of \$20,265.76.
7. Plaintiff compensated its insured for damages, thereby becoming subrogated to rights and claims in this action.

COUNT II

8. Plaintiff restates the allegations contained in Count I and incorporates the same herein by reference, and further states:
9. Upon information and belief, at all times relevant, Defendants John Doe 1 and John Doe 2 were performing services in the course and scope of their employment/agency with Defendant Pulte Home Corporation.
10. Since Defendants John Doe 1 and John Doe 2 negligently caused damage while in the course and scope of their employment/agency with Defendant Pulte Home Corporation, Defendant Pulte Home Corporation is vicariously liable for their negligence.
11. As a direct result of the foregoing, State Farm reimbursed its insured for damages in the amount of \$20,265.76, thereby becoming subrogated to rights and claims in this action.

WHEREFORE, Plaintiff requests Judgment against the Defendants, jointly and severally, on Count I and Count II of this Complaint, in the amount of \$20,265.76 with statutory interest from the date of Judgment, costs of this action.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Karen A. Perez', with a long horizontal flourish extending to the right.

Karen A. Perez, #0089261
Kimberly L. Rathbone, #0073824
Attorneys for Plaintiff
Rathbone Group, LLC
1100 Superior Ave., Suite 1850
Cleveland, OH 44114
(800) 870-5521
(216) 370-6648, fax
kperez@rathbonegroup.com

**PORTAGE COUNTY COMMON PLEAS COURT
LINDA K FANKHAUSER CLERK
203 WEST MAIN STREET
RAVENNA OH 44266-1035
PHONE NUMBER (330) 297-3644
FAX NUMBER (330) 297-4554
WWW.CO.PORTAGE.OH.US**

**WHEN FILING A NEW CASE IN COMMON PLEAS COURT,
IT HAS TO BE DESIGNATED AS ONE OF THE FOLLOWING:**

CIVIL DESIGNATIONS	DOMESTIC DESIGNATIONS
A. PROFESSIONAL TORT	A. DIVORCE/WITH CHILDREN
B. PRODUCT LIABILITY	B. DIVORCE/WITHOUT CHILDREN
× C. OTHER TORT	C. DISSOLUTION WITH CHILDREN
D. WORKERS COMPENSATION	D. DISSOLUTION WITHOUT CHILDREN
E. FORECLOSURE	E. CHANGE OF CUSTODY
F. ADMINISTRATIVE APPEAL	F. VISITATION ENFORCEMENT OR MODIFICATION
H. OTHER CIVIL	G. SUPPORT ENFORCEMENT OR MODIFICATION
	H. DOMESTIC VIOLENCE
	I. URESA

**PLEASE CHECK IF THIS CASE IS: VIOLATION OF OHIO MORTGAGE BROKER ACT
OHIO REVISED CODE 1345.09(E)**

**THE CASE DESIGNATION SHOULD APPEAR DIRECTLY ON THE FRONT OF THE COMPLAINT.
THE CASE CANNOT BE FILED IF THE CASE DESIGNATION IS NOT ON THE COMPLAINT. YOU
DO NOT HAVE TO DO A SEPARATE DESIGNATION SHEET.**

IT IS NOT NECESSARY TO FILE THE COMPUTER INFORMATION SHEET ON ANY FILINGS.