

COMMONWEALTH OF KENTUCKY  
FLOYD CIRCUIT COURT  
DIVISION NO. \_\_\_\_\_  
CIVIL ACTION NO. \_\_\_\_\_

ELFRIEDE SAMONS

PLAINTIFF

VS.

COMPLAINT

NO. 11-CI-1249 DIV. II  
FILED 15 DAY OF Dec., 2011  
SUMMONS AND \_\_\_\_\_ COPIES ISSUED  
FLOYD CIRCUIT & DISTRICT COURT  
BY BA D.C.

ADT SECURITY SERVICES, INC. and  
UNKNOWN AGENTS OF ADT SECURITY SERVICES, INC.  
14200 East Expedition Ave.  
Aurora, Colorado 80012

DEFENDANT

Serve: CT Corporation System  
306 W. Main Street  
Suite 512  
Frankfort, Kentucky 40601

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Comes the Plaintiff, Elfriede Samons, by and through counsel, and for her complaint states as follows:

1. The Plaintiff states that she is 91 years of age and resides in the Minnie area of Floyd County, Kentucky.

2. The Defendant ADT Security Services, Inc., hereinafter "ADT" is an out of state corporation that markets and sells home security systems in Floyd County and other locations in the Commonwealth of Kentucky. It is believed that unknown agents of the Defendant(s) referenced in this complaint are residents of the Commonwealth of Kentucky.

3. The Plaintiff states that she and unknown agents of the Defendant entered into a

contractual agreement in which the Defendant ADT would provide security services to her. Specifically, the agreement which was in effect on January 1, 2011, included in the agreement that if the Plaintiff sounded an alarm, the Defendant was obligated to contact family members of the Plaintiff. Specifically, the Plaintiff alleges that the contract entered into between the Plaintiff and the Defendant called for the Defendant to contact the following:

Jody Samons at (606) 377-6080

Rita Daniels at (606) 377-6597

Jody Samons (606) 791-6083 (cell number)

The Plaintiff states that on January 1, 2011, at approximately 4:34 a.m. she fell at her residence and hit the alarm twice. The Plaintiff states she broke several bones in the lower left leg and had other painful injuries.

4. The Plaintiff states that unknown agents of the Defendant breached their agreement in not contacting the three emergency numbers as previously agreed upon.

5. The Plaintiff alleges that unknown agents of the Defendant negligently and carelessly dialed two other numbers which were non-operational. The Plaintiff states that the Defendant did contact the Kentucky State Police.

6. The Plaintiff states that the Kentucky State Police arrived approximately three hours later.

7. As a result of the 3 hour delay, the Plaintiff needlessly suffered excruciating pain and suffering and was unable to receive assistance due to the negligence and reckless incompetence of unknown agents of the Defendant.


8. The Plaintiff alleges that the Defendant(s) breached their contractual agreement with the Plaintiff and further that they were negligent and careless in not contacting the Plaintiff, and

therefore exacerbating the Plaintiff's pain and suffering.

WHEREFORE, the Plaintiff seeks relief as follows:

1. Judgment against all Defendants.
2. Compensation for her pain and suffering.
3. Punitive damages for the Defendant's reckless disregard of the Plaintiff's emergency needs.
4. That a warning order attorney be appointed to notify the unknown agents of this litigation.
5. Trial by jury.
6. Court costs and any attorney fees.
7. Any and all other relief deemed appropriate.

RESPECTFULLY SUBMITTED,



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