

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

LAURA FARMER,

Plaintiff(s)

vs.

JOANN S. MCGINNIGLE,

Defendant(s)

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

2018-CP - 10- 2606

Submitted By: Gregory D. Keith, Esquire
Address: P.O. Box 399
Charleston, SC 29402

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NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

\*If Action is Judgment/Settlement do not complete

- JURY TRIAL demanded in complaint.
NON-JURY TRIAL demanded in complaint.
This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- Contracts: Constructions (100), Debt Collection (110), General (130), Breach of Contract (140), Fraud/Bad Faith (150), Failure to Deliver/Warranty (160), Employment Discrim (170), Employment (180), Other (199)
Torts - Professional Malpractice: Dental Malpractice (200), Legal Malpractice (210), Medical Malpractice (220), Previous Notice of Intent Case # 20 -NI- - -, Notice/ File Med Mal (230), Other (299)
Torts - Personal Injury: Conversion (310), Motor Vehicle Accident (320), Premises Liability (330), Products Liability (340), Personal Injury (350), Wrongful Death (360), Assault/Battery (370), Slander/Libel (380), Other (399)
Real Property: Claim & Delivery (400), Condemnation (410), Foreclosure (420), Mechanic's Lien (430), Partition (440), Possession (450), Building Code Violation (460), Other (499)
Inmate Petitions: PCR (500), Mandamus (520), Habeas Corpus (530), Other (599)
Administrative Law/Relief: Reinstate Drv. License (800), Judicial Review (810), Relief (820), Permanent Injunction (830), Forfeiture-Petition (840), Forfeiture-Consent Order (850), Other (899)
Judgments/Settlements: Death Settlement (700), Foreign Judgment (710), Magistrate's Judgment (720), Minor Settlement (730), Transcript Judgment (740), Lis Pendens (750), Transfer of Structured Settlement Payment Rights Application (760), Confession of Judgment (770), Petition for Workers Compensation Settlement Approval (780), Other (799)
Appeals: Arbitration (900), Magistrate-Civil (910), Magistrate-Criminal (920), Municipal (930), Probate Court (940), SCDOT (950), Worker's Comp (960), Zoning Board (970), Public Service Comm. (990), Employment Security Comm (991), Other (999)
Special/Complex /Other: Environmental (600), Automobile Arb. (610), Medical (620), Other (699), Sexual Predator (510), Permanent Restraining Order (680), Pharmaceuticals (630), Unfair Trade Practices (640), Out-of State Depositions (650), Motion to Quash Subpoena in an Out-of-County Action (660), Pre-Suit Discovery (670)

Submitting Party Signature:

Date: May 15, 2018

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

**Effective January 1, 2016**, Alternative Dispute Resolution (ADR) is mandatory in all counties, pursuant to Supreme Court Order dated November 12, 2015.

SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.

**Pursuant to the ADR Rules, you are required to take the following action(s):**

1. The parties shall select a neutral and file a "Proof of ADR" form on or by the 210<sup>th</sup> day of the filing of this action. If the parties have not selected a neutral within 210 days, the Clerk of Court shall then appoint a primary and secondary mediator from the current roster on a rotating basis from among those mediators agreeing to accept cases in the county in which the action has been filed.
2. The initial ADR conference must be held within 300 days after the filing of the action.
3. Pre-suit medical malpractice mediations required by S.C. Code §15-79-125 shall be held not later than 120 days after all defendants are served with the "Notice of Intent to File Suit" or as the court directs.
4. Cases are exempt from ADR only upon the following grounds:
  - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
  - b. Requests for temporary relief;
  - c. Appeals
  - d. Post Conviction relief matters;
  - e. Contempt of Court proceedings;
  - f. Forfeiture proceedings brought by governmental entities;
  - g. Mortgage foreclosures; and
  - h. Cases that have been previously subjected to an ADR conference, unless otherwise required by Rule 3 or by statute.
5. In cases not subject to ADR, the Chief Judge for Administrative Purposes, upon the motion of the court or of any party, may order a case to mediation.
6. Motion of a party to be exempt from payment of neutral fees due to indigency should be filed with the Court within ten (10) days after the ADR conference has been concluded.

**Please Note: You must comply with the Supreme Court Rules regarding ADR. Failure to do so may affect your case or may result in sanctions.**

STATE OF SOUTH CAROLINA ]  
 ]  
COUNTY OF CHARLESTON ]

IN THE COURT OF COMMON PLEAS  
NINTH JUDICIAL CIRCUIT  
CASE NO. 2018-CP-10- 2606

LAURA FARMER, ]  
 ]  
Plaintiff, ]

vs ]

JOANN S. MCGINNIGLE, ]  
 ]  
Defendant. ]

**SUMMONS**

FILED  
2018 MAY 22 PM 2:19  
JULIE N. ARMSTRONG  
CLERK OF COURT

TO THE DEFENDANT ABOVE-NAMED

Within 30 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the South Carolina Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Gregory D. Keith, at the address shown below. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**URICCHIO HOWE KRELL JACOBSON  
TOPOREK, THEOS & KEITH, P. A.**



**GREGORY D. KEITH, ESQUIRE**  
17½ Broad St., P. O. Box 399  
Charleston S. Carolina 29402  
Telephone:(843) 723-7491; Facsimile: (843)577-4179  
Attorneys for Plaintiff

Dated: May 15, 2018  
Charleston, South Carolina

STATE OF SOUTH CAROLINA ]  
 ]  
COUNTY OF CHARLESTON ]  
  
LAURA FARMER, ]  
 ]  
Plaintiff, ]  
vs ]  
 ]  
JOANN S. MCGINNIGLE, ]  
 ]  
Defendant. ]

IN THE COURT OF COMMON PLEAS  
NINTH JUDICIAL CIRCUIT  
CASE NO. 2018-CP-10-

*2606*  
2018 MAY 22 PM 2:19  
JULIE J. ABRISTROUD  
CLERK OF COURT

**SUMMONS**

THE PLAINTIFF above-named, complaining of the Defendants, alleges and says unto this Honorable Court as follows:

1. That the parties hereto, subject matter hereof, and all of the matters and things hereinafter complained of are within the jurisdiction of this Honorable Court.
2. That the Plaintiff was at all times hereinafter mentioned, and is still, a resident of Charleston County, South Carolina.
3. That the Defendant, upon information and belief, at all times hereinafter mentioned, is a resident of Charleston County, South Carolina.
4. That on May 18, 2017, at the time of the collision herein described, the Plaintiff was the operator a 2007 Nissan automobile, owned by George A. Farmer, Jr.
5. That on or about May 18, 2017, at the time of the collision hereinafter described, Defendant the operator/owner of a 2010 Ford automobile.
6. That on the aforesaid date, the Plaintiff's vehicle was traveling in a Southerly direction on Folly Road in Charleston County, South Carolina.
7. That on the aforesaid date, Defendant was traveling in a Northerly direction on on Folly Road in Charleston County, South Carolina.

8. Defendant entered the travel lane of Plaintiff's vehicle and, failed to yield the right-of-way to the Plaintiff's vehicle, and, caused the collision, giving unto the Plaintiff serious and painful injuries as are hereinafter fully described.

9. That the Defendant was careless, negligent and reckless at the time and place aforesaid in the following particulars, to-wit:

- a) in failing to maintain a proper lookout;
- b) in failing to keep her automobile under proper control;
- c) in failing to stop or yield the right-of-way to the automobile of the Plaintiff;
- d) in failing to apply her brakes;
- e) in failing to sound her horn;
- f) in driving too fast for conditions;
- g) in failing to use that degree of care and caution which an ordinarily prudent person would have exercised under the same or similar circumstances; and
- h) in being otherwise careless, negligent and reckless.

ALL OF WHICH were the direct and proximate cause of the injuries and damages sustained by the Plaintiff herein, said acts being in violation of the statutory laws of South Carolina and the dictates of ordinary prudence.

That as a direct and proximate result of the aforesaid acts of the Defendants, the Plaintiff suffered severe physical harm and injury from being thrown about and within her automobile with great force and violence, all of which has and will in the future cause her to undergo medical care and treatment, expend considerable sums for medical treatment, cause her pain and

suffering, and to lose wages in the nature of income; the Plaintiff has sustained a loss of enjoyment of life and has been otherwise injured and damaged.

WHEREFORE, Plaintiff prays judgment against the Defendants for actual and punitive damages in such amount as a jury deems just and proper; for the costs and disbursements of this action; and for such other and further relief as this Court deems just and proper.

**URICCHIO, HOWE, KRELL, JACOBSON,  
TOPOREK, THEOS & KEITH, P. A.**



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**GREGORY D. KEITH, ESQUIRE**

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Attorneys for the Plaintiff

Dated: May 15, 2018  
Charleston, South Carolina