

**IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO
CIVIL DIVISION**

**KIMBERLY BOLTON
1859 BELCHER DRIVE
#306
COLUMBUS, OH 43224**

CASE NO.

PLAINTIFF,

JUDGE

VS.

**AMY LANDIS
1847 FENTON STREET
COLUMBUS, OH 43224**

AND

**GALEN DEAK
2530 EASTCLEFT DRIVE
UPPER ARLINGTON, OH 43221**

AND

**MARY MCDONALD
2530 EASTCLEFT DRIVE
UPPER ARLINGTON, OH 43221**

DEFENDANTS.

COMPLAINT

COUNT ONE

1. On or about January 2, 2025, Plaintiff, Kimberly Bolton, was walking on a trail near 1847 Fenton Street, in the city of Columbus, in Franklin County, Ohio, when she was attacked by a dog owned, kept, possessed, and controlled by Defendant, Amy Landis, and harbored by Defendants, Galen Deak and Mary McDonald, resulting in the damages, injuries, and consequences as hereinafter set forth.

2. Defendant, Amy Landis, negligently, willfully, wantonly, recklessly, intentionally, and unlawfully in violation of Ohio Revised Code Section 955.28:
 - a. failed to restrain the dog;
 - b. failed to maintain control of the dog;
 - c. permitted the dog on the property; and
 - d. caused or permitted to cause the dog to attack Plaintiff.
3. As a result of Defendant's conduct, Plaintiff Kimberly Bolton has:
 - a. sustained severe injuries to her right thigh;
 - b. suffered and will continue to suffer physical pain, mental anguish, and emotional distress;
 - c. required and will continue to require medical care, attention, and treatment, with resulting expenses;
 - d. sustained and will continue to sustain a loss of earnings and earnings capacity; and
 - e. suffered and will continue to suffer impairment in the use of the affected areas of her body and a reduction in the quality and enjoyment of her life.

Said damages and injuries are permanent.

COUNT TWO

4. Plaintiff incorporates paragraphs one (1) through three (3) as if fully rewritten herein.
5. Defendants, Galen Deak and Mary McDonald, own the property located at 1847 Fenton Street, Columbus, Ohio 43224.

6. On or about January 2, 2025, Defendants, Galen Deak and Mary McDonald, rented and otherwise permitted Defendant, Amy Landis, on their property as an invitee and tenant, and as such, they knew or should have known that said Defendant was in possession of a dog which they permitted on their property.

7. Defendant, Galen Deak and Mary McDonald, negligently, willfully, wantonly, recklessly, intentionally, and unlawfully in violation of Ohio Revised Code Section 955.25:

- a. failed to restrain the dog;
- b. failed to maintain control of the dog;
- c. harbored and permitted dogs on the property; and
- d. caused or permitted to cause the dog to attack Plaintiff.

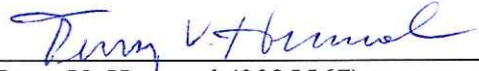
8. As a direct and proximate result of said Defendant's conduct, Plaintiff Kimberly Bolton has suffered the damages, injuries and consequences set forth in paragraph three (3) which are incorporated herein as if fully re-written.

WHEREFORE, Plaintiff, Kimberly Bolton, now demands judgment against Defendant, Amy Landis, under Count One, in an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00) as compensatory damages, punitive damages, and attorney fees, in addition to interest, and her costs incurred herein.

WHEREFORE, Plaintiff, Kimberly Bolton, now demands judgment against Defendants, Galen Deak and Mary McDonald, under Count Two, in an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00) as compensatory damages, punitive damages, and attorney fees, in addition to interest, and their costs incurred herein.

Respectfully submitted,

SCHIFF & ASSOCIATES CO., L.P.A.



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