



**NAILAH K. BYRD**  
**CUYAHOGA COUNTY CLERK OF COURTS**  
1200 Ontario Street  
Cleveland, Ohio 44113

**Court of Common Pleas**

**New Case Electronically Filed: COMPLAINT**  
**March 27, 2026 16:09**

By: STANLEY JACKSON, JR. 0077011

Confirmation Nbr. 3804037

CEARRIA ELDER, ADMINISTRATOR

CV 26 135844

vs.

KASEY LOUDERMILK, ET AL.

**Judge:** WILLIAM F. B. VODREY

**Pages Filed:** 16

IN THE COMMON PLEAS COURT OF CUYAHOGA COUNTY, OHIO  
CIVIL DIVISION

**CEARRIA ELDER, as Administrator** :  
**of the Estate of SHARDAY D. ELDER** :  
569 Fairlawn :  
Painesville, Ohio 44077 :

Plaintiff, :

vs. :

**KASEY LOUDERMILK** :  
Deputy, Cuyahoga County Sheriff's Dept. :  
1215 W 3<sup>rd</sup> Street :  
Cleveland, Ohio 44113 :

**CHRIS MONDA** :  
Deputy, Cuyahoga County Sheriff's Dept. :  
1215 W 3<sup>rd</sup> Street :  
Cleveland, Ohio 44113 :

**MAJED ABUZHARIEH** :  
Deputy, Cuyahoga County Sheriff's Dept. :  
1215 W 3<sup>rd</sup> Street :  
Cleveland, Ohio 44113 :

**JACOB ENGELHART** :  
Deputy, Cuyahoga County Sheriff's Dept. :  
1215 W 3<sup>rd</sup> Street :  
Cleveland, Ohio 44113 :

**DAVID SCHLEGEL** :  
Sergeant, Cuyahoga County Sheriff's Dept. :  
1215 W 3<sup>rd</sup> Street :  
Cleveland, Ohio 44113 :

**HAROLD PRETEL** :  
Sheriff, Cuyahoga County Sheriff's Dept. :  
1215 W 3<sup>rd</sup> Street :  
Cleveland, Ohio 44113 :

Defendants. :

Case No.:

JUDGE:

**COMPLAINT FOR PERSONAL**  
**INJURIES AND WRONGFUL DEATH**  
**WITH JURY DEMAND ENDORSED**  
**HEREON**

COMES NOW, Plaintiff, CEARRIA ELDER, as Administrator of the Estate of SHARDAY D. ELDER, deceased, by and through her counsel, (hereinafter “Plaintiff”), and hereby files this complaint against Defendants KASEY LOUDERMILK, CHRIS MONDA, MAJED ABUZAHRIEH, JACOB ENGELHART, DAVID SCHLEGEL, and HAROLD PRETEL (hereinafter sometimes “Defendants”). Based upon information and belief, Plaintiff shows the Court as follows:

### INTRODUCTION

1) Plaintiff brings this action for damages and wrongful death sustained by the deceased, SHARDAY D. ELDER, (hereinafter “ELDER”), who was injured and perished after Defendants KASEY LOUDERMILK (“Deputy LOUDERMILK”), CHRIS MONDA (“Deputy MONDA), MAJED ABUZAHRIEH (“Deputy ABUZAHRIEH”), JACOB ENGELHART (“Deputy ENGELHART”), and DAVID SCHLEGEL (“Sgt. SCHLEGEL”) acting within the course and scope of their employment, authorized, initiated and engaged in a reckless high-speed chase without just cause, causing ELDER’S catastrophic injury and death. The actions and omissions of Defendants relating to this pursuit were wanton and reckless, and thus Defendants are not entitled to immunity pursuant to Ohio R.C. § 2744.03(A)(6)(b).

2) On August 24, 2025, Deputy LOUDERMILK, of the Cuyahoga County Sheriff’s Department (CCSD), initiated a high-speed vehicle pursuit of a driver he suspected of operating a vehicle under the influence. During the pursuit, the suspect while driving at a high rate of speed crashed into ELDER’S vehicle. The force and impact of this collision with the suspect’s vehicle caused ELDER to sustain severe injuries leading to her death.

3) As shown herein, the actions and omissions of Defendant relating to the authorization, initiation, and engagement in a vehicle pursuit, were wanton and reckless, and without due regard for the safety of all persons and property upon the highway, in violation of Ohio law and

standard operating procedures of the Cuyahoga County Sheriff's Department.

4) Under Ohio law, **Ohio R.C. §2935.031** requires that “[a]ny agency, instrumentality, or political subdivision of the state that employs a sheriff, deputy sheriff ... shall adopt a policy for the pursuit in a motor vehicle of any person who violates a law of this state or an ordinance of a municipal corporation.” Consistent with the requirements of Ohio law, CCSD has a written pursuit policy.

5) Under Ohio law, **Ohio R.C. §4511.041** there are exceptions to traffic rules for emergency vehicles or public safety vehicles responding to an emergency, which includes officers engaged in a pursuit. But as explicitly stated in **Ohio R.C. §4511.041**, this exception “does not relieve the driver of an emergency vehicle or public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway.” **Ohio R.C. §4511.041**.

#### PARTIES AND JURISDICTION

6) ELDER, the deceased, was a resident of Cuyahoga County, Ohio at the time of her death, and was a citizen of the United States during all times relevant and material to this cause of action.

7) Plaintiff is the sister of ELDER and is the duly appointed Administrator of the Estate of SHARDAY D. ELDER.

8) At all times relevant, Defendants were peace officers certified by the Ohio Peace Officer Training Academy (OPOTA) and were employed by the Euclid Police Department, performing duties and acting within the course of their said employment.

9) At all relevant times, Deputy LOUDERMILK was acting within the course and scope of his employment and in the capacity of agent, servant, and employee of the Cuyahoga County Sheriff's Department. Deputy LOUDERMILK is sued in his individual capacity. Currently, Deputy LOUDERMILK is employed as a deputy with the Cuyahoga County Sheriff's Department.

10) At all relevant times, Deputy MONDA was acting within the course and scope of his employment and in the capacity of agent, servant, and employee of the Cuyahoga County Sheriff's Department. Deputy MONDA is sued in his individual capacity.

11) At all relevant times, Deputy ABUZAHRIEH was acting within the course and scope of his employment and in the capacity of agent, servant, and employee of the Cuyahoga County Sheriff's Department. Deputy ABUZAHRIEH is sued in his individual capacity. Currently, Deputy ABUZAHRIEH is employed as a deputy with the Cuyahoga County Sheriff's Department.

12) At all relevant times, Deputy ENGELHART was acting within the course and scope of his employment and in the capacity of agent, servant, and employee of the Cuyahoga County Sheriff's Department. Deputy ENGELHART is sued in his individual capacity. Currently, Deputy ENGELHART is employed as a deputy with the Cuyahoga County Sheriff's Department.

13) At all relevant times, Sgt. SCHLEGEL was acting within the course and scope of his employment and in the capacity of agent, servant, and employee of the Cuyahoga County Sheriff's Department. Sgt. SCHLEGEL is sued in his individual capacity. Currently, Sgt. SCHLEGEL is employed as a sergeant with the Cuyahoga County Sheriff's Department.

14) At all relevant times, Sheriff PRETEL was duly elected Sheriff of Cuyahoga County Sheriff's Department and responsible for supervising the activities and subsequently ratified the conduct and activities of Defendants LOUDERMILK, MONDA, ABUZAHRIEH, ENGELHART, and SCHLEGEL. Sheriff PRETEL is sued at this time in his official capacity.

### **FACTUAL ALLEGATIONS**

#### **Deputies Loudermilk and Monda**

15) On August 24, 2025, Deputy LOUDERMILK was on patrol near East 12<sup>th</sup> Street when he observed a black Ford sedan traveling westbound without headlights during the night. Deputy LOUDERMILK stated that as the vehicle passed, the driver diverted his eyes from the road

and fixated on the police cruiser. Deputy LOUDERMILK executed a U-turn and positioned himself behind the vehicle. The vehicle then turned onto East 12<sup>th</sup> Street and accelerated to approximately 40-mph in a 25-mph zone. According to Deputy LOUDERMILK, he believed the driver may have been impaired and attempting to evade law enforcement.

16) Deputy LOUDERMILK activated his overhead lights and sirens. The vehicle then turned westbound onto St. Clair Avenue and fled at speeds exceeding 67 mph without headlights.

17) According to Deputy LOUDERMILK, he only observed one occupant at the beginning of the pursuit. Road conditions were dry and clear, with little to no traffic and no pedestrian traffic.

18) Deputy LOUDERMILK requested permission to pursue from Sergeant David Schlegel (“Sgt. SCHLEGEL”), advising him of the vehicle’s speed. Sgt. SCHLEGEL authorized the pursuit. Deputies Abuzahrieh and Engelhart joined the pursuit.

19) According to Deputy LOUDERMILK, the vehicle’s taillights were turned off during the pursuit. Deputy LOUDERMILK determined that continuation of the pursuit was necessary due to the greater risk to public safety by allowing the suspected impaired driver to continue unimpeded.

20) Deputy LOUDERMILK requested and received permission from Sgt. SCHLEGEL to perform a Precision Immobilization Technique (PIT), however, Deputy LOUDERMILK determined that pursuit speeds more than 80 mph made conditions unsafe for a PIT. Despite speeds exceeding 80 mph, Deputy LOUDERMILK determined that pursuit was still necessary. According to Deputy LOUDERMILK, this was based on the totality of the circumstances, including the suspect’s reckless disregard for traffic laws, potential impairment, and the likelihood of imminent harm to others if not stopped.

21) While preparing to use an alternative method of pursuit termination techniques, the vehicle made an abrupt stop and turned southbound onto Addison Road.

22) Deputy LOUDERMILK lost contact but then executed a U-turn and re-engaged the suspect vehicle as it exited a dark, unlit lot near Addison Road and St. Clair Road before continuing southbound. Deputy LOUDERMILK accelerated to a speed faster than the suspect vehicle and prepared to conduct a PIT.

23) The suspect vehicle continued on Addison Road and Superior Avenue, failed to stop at a stop sign, jumped a curb, and careened through a grassy area.

24) Deputy LOUDERMILK observed the suspect vehicle crossing Superior Avenue at a high speed and striking the driver's side of another vehicle at the stop light traveling eastbound. The suspect vehicle came to rest in a field at Superior Avenue and East 71<sup>st</sup> Street.

25) The struck vehicle was identified as a black 2015 Subaru bearing Ohio license plate HNR3468. The Subaru's final resting place was in the same field as the Ford's but positioned to the south and closer to Duluth Avenue.

26) EMS and Fire were requested. Deputies detained the suspect driver, later identified as Jaymone Lamar Whitaker II ("WHITAKER"), and removed two passengers from the suspect vehicle.

27) The struck Subaru was occupied by ELDER and another occupant passenger.

28) ELDER was trapped and required specialized extraction by the Cleveland Fire Department. ELDER was transported to University Hospital Main Campus, where she was pronounced dead at 0200 hours.

### **Sergeant Schlegel**

29) According to Sgt. SCHLEGEL's report, Deputy LOUDERMILK was stationed in an area known as a commercial district containing multiple bars and nightclubs. This led Deputy LOUDERMILK to suspecting the suspect was operating under the influence.

30) Sgt. SCHLEGEL states that the suspect vehicle failed to stop for Deputy

LOUDERMILK, who at this time, initiated a pursuit. Deputy LOUDERMILK relayed “pertinent information” and requested permission to continue the pursuit. Sgt. SCHLEGEL acknowledged the request and followed up with “further questions that would continue to guide” his risk assessment and decision making. Sgt. SCHLEGEL instructed to have a secondary unit join the pursuit.

31) Deputy LOUDERMILK provided speeds of 57 mph, light vehicle traffic, and reckless operation as the reason for the initial stop.

32) According to Sgt. SCHLEGEL, his understanding of the location, the time of night, and information given by Deputy LOUDERMILK led him to determine pursuit was warranted.

33) Sgt. SCHLEGEL reported that the geographic location and direction of travel of Deputy LOUDERMILK, led him to believe that speeds of 57 mph were appropriate.

34) Deputy LOUDERMILK stated that there was a black male in his twenties operating the vehicle and appeared to be the only occupant.

35) The second unit joined the pursuit and took over radio communications, informing Sgt. SCHLEGEL that pursuit was continuing eastbound on St. Clair with speeds reaching 100 mph.

36) According to Sgt. SCHLEGEL’s report, he did not hear the speed of over 100 mph when given by the second unit.

37) Deputy LOUDERMILK requested permission to PIT. Sgt. SCHLEGEL’s report states that permission was granted so long as it was safe to do so. At this time, Deputy LOUDERMILK reached speeds greater than 100 mph.

38) Deputy LOUDERMILK was asked why he was operating at these speeds and he responded that it was necessary to maintain an effective distance and to attempt to position his vehicle to perform a PIT.

39) As the vehicles approached Addison Road, Deputy LOUDERMILK moved to the driver side of the suspect vehicle in an attempt to lower his speeds. The suspect vehicle then slowed

and turned onto Addison Road. The suspect vehicle went off the road briefly then continued south.

40) Deputy LOUDERMILK continued east on St. Clair before performing a U-turn. This now left him in a position of greater distance than he had previously been in with the suspect vehicle. Deputy LOUDERMILK then reached speeds up to 85 mph in an effort to close the distance.

41) The suspect vehicle continued south on Addison Road, trailed by Deputy LOUDERMILK. The suspect vehicle then hit a curb and drove into traffic onto Superior Avenue, colliding with another vehicle.

42) Upon witnessing the suspect vehicle collide with another vehicle, Deputy LOUDERMILK attempted to slow his vehicle down by depressing the break. However, the stopping ability of the braking mechanism on his vehicle was diminished. According to Sgt. SCHLEGEL, this is commonly referred to as “break fade.” Deputy LOUDERMILK’s vehicle slowed down but not enough to safely stop. All three vehicles came to rest south of Superior Avenue and all were immobilized due to damage sustained.

#### **Deputies Abuzahrieh and Englehart**

43) The second unit involved in the pursuit consisted of Deputy Majed Abuzahrieh (“Deputy ABUZAHRIEH”) and Deputy Jacob Engelhart (“Deputy ENGELHART”). Deputy ABUZAHRIEH was driving while Deputy ENGELHART took over radio traffic.

44) Upon responding to St. Clair Avenue and East 24<sup>th</sup> Street, Deputy ABUZAHRIEH observed a black Ford sedan traveling eastbound on St. Clair Avenue without headlights, rapidly changing lanes, and speeding over 100 mph.

45) Deputy ABUZAHRIEH then joined behind Deputy LOUDERMILK’s vehicle.

46) According to Deputy ABUZAHRIEH’s report, Deputy LOUDERMILK was able to determine that the suspect vehicle was registered and owned by Yanae Shania Johnson during the pursuit.

47) Deputy ABUZAHRIEH reached speeds up to 100 mph, along with Deputy LOUDERMILK, in an effort to catch up to the suspect vehicle.

#### **Pursuit Policy**

48) Cuyahoga County Sheriff's Department ("CCSD") pursuit policy states, in part, that factors to be considered when determining whether to terminate a pursuit include "Extended pursuits of violators for misdemeanors not involving abuse or risk of serious harm (independent of the pursuit) are discouraged" and "The deputy's pursuit vehicle sustains damage or a mechanical failure that renders it unsafe to drive." Pursuit Policy, Section 307.4.2.

49) CCSD's pursuit policy states that "Should high vehicle speeds be reached during a pursuit, deputies and supervisors shall also consider these factors when determining the reasonableness of the speed of the pursuit (ORC §4511.24): (a) Pursuit speeds have become unreasonably unsafe for the surrounding conditions, (b) Pursuit speeds have exceeded the driving ability of the deputy, (c) Pursuit speeds are beyond the capabilities of the pursuit vehicle, thus making its operation unsafe, (d) Pursuit speeds may have a detrimental effect on the ability to safely implement some or all intervention techniques." Pursuit Policy, Section 307.4.3 (a), (b), (c), and (d).

50) The actions of Deputies LOUDERMILK, MONDA, ABUZAHRIEH, and ENGELHART, along with Sgt. SCHLEGEL, were taken jointly, in concert, and with shared intent.

51) ELDER was an innocent bystander who did nothing that caused or contributed to her death, which was preventable.

52) The actions and omissions of Deputies LOUDERMILK, MONDA, ABUZAHRIEH, and ENGELHART were in clear violation of Cuyahoga County Sheriff's Department (CCSD) policy/procedure regarding pursuits, which has as its primary purpose to "provide deputies with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law" and "to minimize the potential for pursuit-

related collisions.” *Cuyahoga County Sheriff's Department Policy 307, Vehicle Pursuits, Section 307.1*, Page 1.

53) The CCSD through its duly elected official, Sheriff PRETEL is responsible and liable for the underlying conduct of Deputies LOUDERMILK, MONDA, ABUZHARIEH, and ENGELHART, along with Sgt. SCHLEGEL, as referenced herein pursuant to R.C. § 2744.02.

54) Pursuant to Ohio R.C. § 2935.031 requires that “[a]ny agency, instrumentality, or political subdivision of the state that employs a sheriff, deputy sheriff ... shall adopt a policy for the pursuit in a motor vehicle of any person who violates a law of this state or an ordinance of a municipal corporation.” Consistent with requirements of Ohio law, CCSD has a written pursuit policy.

55) Pursuant to Ohio R.C. § 2744.02(B)(1) a political subdivision is liable for injuries caused by the negligent operation of a motor vehicle by its employees who are acting within the course and scope of their employment where the operation of the motor vehicle constituted willful or wanton misconduct.

56) At all times relevant herein, Deputies LOUDERMILK, MONDA, ABUZHARIEH, and ENGELHART, along with Sgt. SCHLEGEL, had a duty to the public at large, including ELDER, to act lawfully and reasonably and to not act in a negligent, grossly negligent, willful, wanton, reckless, intentional, extreme, and/or outrageous manner.

57) On March 28, 2025, it was highly foreseeable to Deputies LOUDERMILK, MONDA, ABUZHARIEH, and ENGELHART, along with Sgt. SCHLEGEL, that a high-speed chase involved significant risk of harm such that the conduct creating such a danger to the public at large was extreme and outrageous.

58) Ohio R.C. § 4511.041 establishes exceptions to traffic rules for public safety vehicles responding to an emergency call but "does not relieve the driver of an emergency vehicle or public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway.”

59) Under Ohio law and CCSD'S policy and procedure Deputies LOUDERMILK, MONDA, ABUZAHRIEH, and ENGELHART, along with Sgt. SCHLEGEL had a duty to the public at large, including ELDER, to act lawfully and reasonably and to not act in a negligent, grossly negligent, willful, wanton, reckless, intentional, extreme, and/or outrageous manner.

60) Officers Deputies LOUDERMILK, MONDA, ABUZAHRIEH, and ENGELHART, along with Sgt. SCHLEGEL, negligently, grossly negligent, willfully, wantonly, recklessly, intentionally, extremely, and/or outrageously drove a motor vehicle on the date in question, and their actions were a direct and proximate cause of the collision with pursuing vehicle and TAMYA.

61) Pursuant to Ohio R.C. § 2744.03(A)(6)(b), Deputies LOUDERMILK, MONDA, ABUZAHRIEH, and ENGELHART, are liable to Plaintiff and have no immunity because their actions and omissions regarding the vehicle pursuit were carried out in a wanton and/or reckless manner.

62) The actions and omissions of Deputies LOUDERMILK, MONDA, ABUZAHRIEH, and ENGELHART, along with Sgt. SCHLEGEL, were done with knowledge or reason to know that their conduct created an unnecessary risk of physical harm to innocent drivers on the highway such as ELDER.

63) The actions and omissions of Deputies LOUDERMILK, MONDA, ABUZAHRIEH, and ENGELHART, as described herein, violated the policies and procedures of CCSD.

64) The actions and omissions of Deputies LOUDERMILK, MONDA, ABUZAHRIEH, and ENGELHART, along with Sgt. SCHLEGEL, as described herein violated Ohio law regarding the exceptions to traffic rules for police officers responding to emergency calls, as set forth in Ohio R.C. § 4511.041.

65) That Deputies LOUDERMILK, MONDA, ABUZAHRIEH, and ENGELHART,

along with Sgt. SCHLEGEL, at all times owed to the deceased, ELDER, the following duties and obligations:

- (a) To ensure due care and caution in the operation of motor vehicles during a pursuit;
- (b) To refrain from reengaging in unreasonable and high-speed vehicular pursuits where injury and death are likely to result and are reasonably foreseeable;
- (c) To act in a reasonable and prudent manner to avoid placing known innocent third parties, including ELDER, in an inherently dangerous situation;
- (d) To refrain from an unreasonable high-speed pursuit of a vehicle, taking into account the speed of the pursuit, the area of pursuit, weather and road conditions, the pedestrian and vehicular traffic, the warning used and the reason for the pursuit, presence of air support;
- (e) To refrain from operating a motor vehicle in a careless, reckless, and willful and wanton manner; i.e., engaging in a vehicular activity in such a manner as to make likelihood of injury equivalent to an intent such that injury or death will or would occur; and
- (f) Once the chase has been undertaken, to carry it out in a manner that was reasonably designed not to endanger the general public, in particular ELDER, and in a manner which was not wanton and reckless.

66) Notwithstanding the above duties and obligations, Deputies LOUDERMILK, MONDA, ABUZAHRIEH, and ENGELHART, along with Sgt. SCHLEGEL, did jointly and severally violate each of the above duties and did violate the standard of care with respect to those duties which were owed to ELDER.

67) As a direct and proximate result of the negligent, grossly negligent, willful, wanton, reckless, intentional, extreme, and outrageous actions and omissions of Deputies LOUDERMILK,

MONDA, ABUZHARIEH, and ENGELHART, along with Sgt. SCHLEGEL, as shown by their authorization, initiation and execution of the pursuit, ELDER suffered terror and pain inflicted upon him, including severe personal injuries and extreme emotional distress, including pain and suffering and his death.

68) As a direct and proximate result of the negligent, grossly negligent, willful, wanton, reckless, intentional, extreme, and outrageous actions and omissions of Deputies LOUDERMILK, MONDA, ABUZHARIEH, and ENGELHART, along with Sgt. SCHLEGEL, as shown by their authorization, initiation and execution of the pursuit, ELDER'S estate and heirs suffered and continue to suffer, *inter alia*, severe grief, injury, pain and suffering, mental distress, loss of love, affection, society, companionship, consortium, pecuniary loss, medical and burial expenses, as well as other injuries resulting from ELDER'S death.

69) The actions of Deputies LOUDERMILK, MONDA, ABUZHARIEH, and ENGELHART, along with Sgt. SCHLEGEL, as shown by their authorization, initiation and execution of the pursuit, were wanton and reckless and in conscious disregard and indifference to a known or obvious risk of harm to others and were unreasonable under the circumstances.

70) The actions of Deputies LOUDERMILK, MONDA, ABUZHARIEH, and ENGELHART, along with Sgt. SCHLEGEL, as shown by their authorization, initiation and execution of the pursuit, violated CCSD'S pursuit policy and Ohio law.

71) The outrageous, unlawful, malicious, wanton, willful, and/or reckless conduct of Deputies LOUDERMILK, MONDA, ABUZHARIEH, and ENGELHART, along with Sgt. SCHLEGEL, as shown by their authorization, initiation and execution of the pursuit demonstrated their disregard for the safety of other motorists and constitutes outrageous conduct and gross negligence under Ohio law.

**FIRST CLAIM FOR RELIEF  
WRONGFUL DEATH PURSUANT TO OHIO R.C. §2125.02  
AGAINST ALL DEFENDANTS**

72) Plaintiff repeats and realleges the above allegations as if fully stated herein.

73) Plaintiff is survived by her heirs, who have suffered and will continue to suffer, *inter alia*, pecuniary loss, loss of her aide, comfort, consortium, society, companionship, guidance and protection, as well the grief and sorrow from the loss of the love and affection of and for their loved one and otherwise suffered damages to their detriment.

74) Deputies LOUDERMILK, MONDA, ABUZAHRIEH, and ENGELHART, along with Sgt. SCHLEGEL, acted negligently, willfully, wantonly, recklessly, intentionally, extremely, and/or outrageously in committing the acts alleged in this complaint, which resulted in the injuries and wrongful death of ELDER.

75) As a direct and proximate result of the actions of the defendants in this complaint, ELDER died from injuries she sustained in a car crash, subjecting the defendants to liability pursuant to Ohio R.C. § 2125.02.

**SECOND CLAIM FOR RELIEF  
SURVIVORSHIP ACTION AGAINST ALL DEFENDANTS**

76) Plaintiff repeats and realleges the above allegations as if fully set forth herein.

77) Plaintiff further claims that as a direct and proximate result of the negligent, willful, wanton, reckless, and/or outrageous conduct of Deputies LOUDERMILK, MONDA, ABUZAHRIEH, and ENGELHART, along with Sgt. SCHLEGEL as alleged herein, individually and/or jointly, ELDER was caused to suffer mental anguish and conscious physical pain and suffering prior to her death, for which compensation is sought.

78) Deputies LOUDERMILK, MONDA, ABUZAHRIEH, and ENGELHART, along with Sgt. SCHLEGEL, owed ELDER a duty of care, they breached that duty, and their breach of

duty was the proximate cause of ELDER'S death.

79) Plaintiff brings this survivorship action pursuant to Ohio R.C. § 2305.21.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, ELIZABETH ELDER, as Administrator of the Estate of MICHELLE

D. ELDER, demands judgment against Defendants, jointly and severally, as follow:

- a. Compensatory damages in an amount in excess of \$25,000 to be determined at trial;
- b. Punitive damages in an amount sufficient to punish Defendants for their actions, as set forth herein, and to deter such conduct in the future;
- c. An award of Plaintiff's costs of suit; including reasonable attorney's fees;
- d. Interest on all damage awards; and,
- e. All other relief to which Plaintiff may lawfully be entitled.

Respectfully submitted,

/s/ Stanley Jackson

Michael L. Wright, #0067698

Robert L. Gresham, #0082151

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**JURY DEMAND**

Now comes Plaintiff, by and through counsel, and hereby demands a trial by jury on all issues of this matter.

/s/ Stanley Jackson  
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Robert L. Gresham, #0082151  
Stanley Jackson #0077011  
*Attorneys for Plaintiff*