

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

**G-4801-CI-0201901390-000**

**MICHAEL E. KELLER**  
3416 Buckeye Street  
Toledo, Ohio 43608

Plaintiff,

v.

**JETTA C. FRASER**  
4336 Birchall Street  
Toledo, Ohio 43612

Defendants.

Case No.:

**Judge**

**MYRON C. DUHART**

Judge:

**COMPLAINT**

*(Jury Demand Endorsed Hereon)*

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*Attorneys for Plaintiff*

NOW COMES Plaintiff, by and through undersigned counsel, and hereby files his Complaint for damages arising and resulting from an automobile vs. motorcycle collision that occurred on or about July 17, 2018, and in support of his claims, hereby alleges and avers as follows:

**THE PARTIES**

1. Plaintiff Michael E. Keller is and at all relevant times was a resident of Toledo, Lucas County, Ohio.

2. Upon information and belief, at all relevant times Defendant Jetta C. Fraser is and was a resident of Toledo, Lucas County, Ohio.

### JURISDICTION AND VENUE

3. This Court has jurisdiction to hear this matter pursuant to Ohio Rev. Code § 2305.01.

4. This Court is the proper venue for this action, pursuant to Ohio R. Civ. P. 3(B)(1) and (6), as Defendant resides within Lucas County and Plaintiff's claims for relief arose in Lucas County.

5. Pursuant to Ohio R. Civ. P. 8, Plaintiff states that the amount in controversy exceeds \$25,000.

### FACTS

6. On July 17, 2018, at approximately 7:39 AM, Plaintiff Michael E. Keller was traveling on Sylvania Avenue near the intersection of Secor Road, in Toledo, Lucas County, Ohio when Defendant Jetta C. Fraser turned in front of Michael's motorcycle.

7. Michael was ejected from his motorcycle, landing in the intersection of Secor Road and Sylvania Avenue.

8. Defendant Jetta C. Fraser was cited by Toledo Police Department for failing to yield right of way when turning left a violation of R.C. § 4511.42.

**FIRST CAUSE OF ACTION**

*(Negligence – Defendant Jetta C. Fraser)*

9. Plaintiff incorporates by reference each preceding and succeeding paragraph as though set forth fully at length herein.

10. In operating a motor vehicle on a public roadway Defendant Jetta C. Fraser owed a duty of care to Plaintiff Michael E. Keller to operate her vehicle in a safe manner and in accordance with the laws of the State of Ohio.

11. Defendant Jetta C. Fraser breached that duty of care by failing to use reasonable care while driving the automobile and failing to follow applicable traffic laws.

12. As a direct and proximate result of Defendant Jetta C. Fraser's negligence and breach of her duty of care, Plaintiff Michael E. Keller has sustained serious and permanent personal injuries to his left wrist, right shoulder, pelvis and bilateral knees causing incursion of substantial medical expenses, lost wages, pain and suffering, mental anguish, and emotional distress.

16. Further, Plaintiff Michael E. Keller believes that these injuries are permanent in nature and will require future medical care and future medical care costs, and that he will continue to endure great pain, suffering, future wage loss, mental anguish, and emotional distress.

**WHEREFORE**, Plaintiff prays that judgment be entered against the Defendant as follows:

1. On the FIRST cause of action, a judgment against Defendant(s) in an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00)

together with interest, costs and reasonable attorney fees associated  
herewith; and

2. For such other and further relief as the Court deems just and proper.

Respectfully submitted,



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Charles E. Boyk (0000494)  
Leah O. Michael (0093135)  
Attorney for Plaintiff

**JURY DEMAND**

The Plaintiff demands a trial by jury on all issues triable by right.



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Charles E. Boyk (0000494)  
Leah O. Michael (0093135)  
Attorney for Plaintiff

**PRAECIPE FOR SERVICE**

TO THE CLERK:

Please serve Defendant via certified mail, return receipt requested at the addresses  
listed in the Caption to this Complaint.

Respectfully submitted,



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Charles E. Boyk (0000494)  
Leah O. Michael (0093135)  
Attorney for Plaintiff