IN THE CIRCUIT COURT FOR THE STATE OF OREGON

FOR MULTNOMAH COUNTY

JEFF VEENKER Plaintiff vs **WELLS FARGO BANK N.A.** Defendant	Case No. **COMPLAINT** Negligence Not Subject to Mandatory Arbitration Amount in Controversy: $750,000 Filing Fee Authority: ORS 21.160(1)(c) Jury Trial Requested

1.

FACTUAL ALLEGATIONS

On January 11, 2019 outside Wells Fargo Bank at Southeast 181st Avenue and Southeast Stark Street in Portland, Oregon Mr. Veenker's hip was broken when a car smashed into him. The crash sent Mr. Veenker to the hospital requiring surgery. Mr. Veenker hasn't been able to work since the crash.

2.

CAUSE OF ACTION

Negligence

Wells Fargo Bank operated and maintained control over the parking lot and walk areas outside its location in Portland, Oregon where Mr. Veenker was injured. Wells Fargo Bank maintained regular and sustained business in Multnomah County, Oregon. Wells Fargo Bank had a duty to maintain its parking lot and walk areas in a safe and suitable condition for its customers. By inviting Mr. Veenker to do business at its location, Wells Fargo Bank accepted responsibility to keep Mr. Veenker safe while he was on its premises. Wells Fargo Bank knew and should have known Mr. Veenker would sustain injuries if it failed to properly maintain its premises in a safe and suitable condition. Mr. Veenker's injuries were due in whole or in part to the acts and omissions of Wells Fargo Bank, which was negligent in one or more respects: in failing to exercise reasonable care over its premises, in failing to properly maintain its parking lot in a safe condition, in failing to use reasonable care to discover that the conditions of its premises created an unreasonable risk of harm to Mr. Veenker, in failing to properly protect customers who use its walk areas, in failing to properly warn Mr. Veenker so he could avoid the harm he experienced, in failing to properly place barriers so cars can't crash into customers who use its walk areas, in failing to provide a safely designed parking lot with speed bumps or similar devices to slow the cars that enter its parking lot, and in failing to adopt policies necessary to protect Mr. Veenker's safety.

3.

As a direct result of Wells Fargo Bank's negligent acts and omissions as alleged in this complaint, Mr. Veenker experienced injuries and harm, all of which were reasonably foreseeable, including and not limited to medical bills, lost wages, pain, distress and discomfort. Mr. Veenker requests fair compensation for his losses in an amount to be determined by the jury to be reasonable, but not to exceed $750,000. Mr. Veenker also requests an order declaring that Wells Fargo Bank's behavior as alleged in this complaint was negligent in one or more regards, costs and disbursements, and maximum pre and post judgment interest. Mr. Veenker reserves the right to amend this complaint to adjust his request for compensation as well as to add additional defendants and new claims, including a claim for punitive damages, as new information is learned in discovery.

4.

PRAYER FOR RELIEF

Mr. Veenker respectfully requests relief as sought in paragraph 3 and any other relief the Court may deem appropriate.

5.

REQUEST FOR JURY TRIAL

Mr. Veenker respectfully requests a trial by a jury.

March 23, 2019

RESPECTFULLY FILED,

/s/ Michael Fuller
Michael Fuller, OSB No. 09357
Lead Trial Attorney for Mr. Veenker
OlsenDaines
US Bancorp Tower
111 SW 5th Ave., Suite 3150
Portland, Oregon 97204
michael@underdoglawyer.com
Direct 503-222-2000