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 2018-L-006640
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 CIRCUIT COURT OF
 COOK COUNTY, ILLINOIS
 LAW DIVISION
 CLERK DOROTHY BROWN

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, LAW DIVISION

CHAKITA TROTTER, as Next Friend of)
 minor, Jayshun Madison,)
)
 Plaintiff,)
)
 v.)
)
 SECURITY GUARD WHITE and DOLTON)
 SCHOOL DISTRICT # 149,)
)
 Defendants.)

Case No:

 Jury Trial Demanded

COMPLAINT AT LAW

NOW COME Plaintiffs, CHAKITA TROTTER, as Next Friend of Jayshun Madison, by
 and through her attorneys, KATHLEEN T. ZELLNER & ASSOCIATES, P.C., complaining of
 Defendants, SECURITY GUARD WHITE and DOLTON SCHOOL DISTRICT # 149 and state
 as follows:

COUNT I

(Defendant SECURITY GUARD WHITE)

(Civil Assault and Battery)

1. Plaintiff, Chakita Trotter (“Plaintiff Trotter”), at all times relevant herein, resided in Cook County, Illinois.

2. Plaintiff is the biological parent and guardian of the minor, Jayshun Madison (“Jayshun”). Jayshun’s biological father is deceased.

3. Defendant Security Guard White (“White”) was at all times relevant a security guard employed by Dolton School District # 149 (“DSD”) working at Caroline Sibley School (“CSS”).

4. White, at all times relevant herein, acted within the course and scope of her employment with DSD at CSS.

5. Prior to May 22, 2018, and at all relevant times, Jayshun was a special education student at CSS, attending special education classes.

6. Pursuant to her duties as a security guard with DSD working at CSS, White came into contact with Jayshun on a regular basis.

7. Prior to May 22, 2018, White abused Jayshun in various ways, including but not limited to calling Jayshun “slow” and physically striking him without his consent.

8. In fact, prior to May 22, 2018, White physically battered Jayshun on more than one occasion, including but not limited to one incident where White body slammed Jayshun.

9. On more than one occasion, Plaintiff Trotter complained to agents and representatives of DSD and CSS about the abusive behavior inflicted upon Jayshun by White.

10. On those occasions, agents and representatives of DSD and CSS advised Plaintiff Trotter that measures would be taken to ensure that White would not abuse Jayshun.

11. On or about the late morning of May 22, 2018, Jayshun was attending his class in Ms. Rosania’s classroom after arriving there from P.E. class with the rest of his classmates. On that occasion, Mr. Cooper (“Mr. Cooper”), a music teacher at CSS, was acting as a substitute teacher for Ms. Rosania’s class.

12. White had followed Jayshun and his classmates from the gym where their P.E. class had been held.

13. At that time and place, White verbally abused Jayshun.
14. At that time and place, White cursed at Jayshun, hit him on his face, grabbed him by the neck, and told him to “Shut the fuck up.”
15. Shocked by White’s behavior toward Jayshun, two female students requested and received permission from Mr. Cooper to report the incident to CSS administrators.
16. Assistant Principal Dr. Gibson White (“Dr. G. White”) interviewed the two female students and the students reported the above to Dr. G. White.
17. Dr. G. White reported the incident to Ms. Carolyn Franklin (“Principal Franklin”), the principal of CSS.
18. Principal Franklin directed Dr. G. White to speak to Jayshun.
19. Jayshun confirmed the incident to Dr. G. White.
20. When Plaintiff Trotter learned of the incident, she contacted an agent/representative of DSD/CSC, described White as an African-American Woman in her late twenties to that representative, and asked that representative to identify Defendant White by her first name.
21. The representative of DSD/CSC refused to identify Defendant White by her first name for Plaintiff Trotter and refused to provide anything to assist Plaintiff Trotter in locating and speaking to Defendant White.
22. DSD/CSS representatives have repeatedly refused to identify Defendant White or allow a meeting between Defendant White and Plaintiff Trotter.
23. As described in more detail above, on or about May 22, 2018, Defendant White committed a civil assault and battery against Jayshun by threatening Jayshun with verbally abusive language and striking Jayshun without his consent.

24. As a direct and proximate result of the aforesaid conduct of Defendant White, Jayshun suffered and will continue to suffer physical and psychological injuries and trauma; will require medical and psychological care; and will incur expenses for such care.

WHEREFORE, Plaintiff, CHAKITA TROTTER, as next friend Jayshun Madison, prays for judgment against Defendant White in a sum in excess of \$ 50,000.00 plus punitive damages, interests and costs.

COUNT II

(Defendant SECURITY GUARD WHITE)

(Intentional Infliction of Emotional Distress)

1. Each foregoing paragraph of this Complaint is incorporated as if fully set forth herein.
2. As described more fully above, Defendant White's misconduct was extreme and outrageous.
3. As described more fully above, Defendant White intended to cause, or was in reckless disregard of the probability that her misconduct would cause, severe emotional distress to Jayshun.
4. As a direct and proximate result of the misconduct described herein, Jayshun suffered injuries, including but not limited to severe emotional distress and mental anguish as more fully described above.

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WHEREFORE, Plaintiff, CHAKITA TROTTER, as next friend Jayshun Madison, prays for judgment against Defendant White in a sum in excess of \$ 50,000.00 plus punitive damages, interests and costs.

COUNT III

(Defendant DSD)

(Negligent Supervision)

1. Each foregoing paragraph of this Complaint is incorporated as if fully set forth herein.

2. On and before May 22, 2018, Plaintiff Trotter placed DSD on notice by advising teachers, agents and representatives of DSD that Defendant White was abusing Jayshun at CSS.

3. On those occasions when Plaintiff Trotter complained about Defendant White's treatment of Jayshun, teachers, agents, and representatives of DSD assured Plaintiff Trotter that the situation would be addressed and corrected.

4. At all relevant times, DSD assumed a duty to use reasonable care to ensure that Defendant White did not abuse Jayshun.

5. Defendant DSD breached the duty it owed to Jayshun by failing to properly supervise Defendant White when she was in the presence of Jayshun.

6. As a direct and proximate result of that breach of duty, Defendant White committed civil assaults and batteries against Jayshun by threatening Jayshun with verbally abusive language and physically striking Jayshun without his consent.

7. As a further direct and proximate result of the aforesaid negligent conduct of Defendant DSD, Jayshun suffered and will continue to suffer physical and psychological injuries

and trauma; will require medical and psychological care; and will continue to incur expenses for such care.

WHEREFORE, Plaintiff, CHAKITA TROTTER, as next friend Jayshun Madison, prays for judgment against Defendant DSD in a sum in excess of \$ 50,000.00 plus punitive damages, interests and costs.

COUNT IV

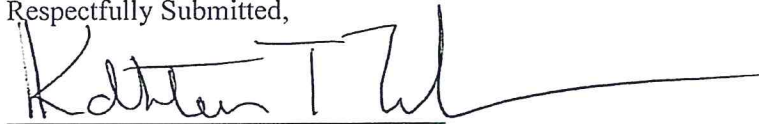
Respondent Superior

(Against DSD)

1. Each foregoing paragraph of this Complaint is incorporated as if fully set forth herein.
2. Defendant DSD is liable for the torts of Defendant White under the doctrine of *respondent superior*.

WHEREFORE, Plaintiff, CHAKITA TROTTER, as next friend Jayshun Madison, prays for judgment against Defendant DSD in a sum in excess of \$ 50,000.00 plus punitive damages, interests and costs.

Respectfully Submitted,



Kathleen T. Zellner

Kathleen T. Zellner
Law Offices of Kathleen Zellner, P.C
1901 Butterfield Road
Suite 650
Downers Grove, Illinois 60515

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