

**IN THE CIRCUIT COURT OF THE 19TH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS**

M.J., a minor, by his parents and	)	
guardians, ALBERT JONES and KAREN	)	
JONES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.
	)	
RONALD CLEMMONS,	)	
LOWER COUNCIL SCHOOL DISTRICT,	)	
BUD SMITH, and	)	
ACE TRUCKING COMPANY,	)	
	)	
Defendants.	)	

COMPLAINT AT LAW

NOW COMES the Plaintiff, M.J., a minor, by his parents and guardians, ALBERT JONES and KAREN JONES, by and through their attorney, Roy Saunders, and as for their Complaint at Law against Defendants RONALD CLEMMONS, LOWER COUNCIL SCHOOL DISTRICT, BUD SMITH, and ACE TRUCKING COMPANY, states as follows:

1. At all relevant times, Plaintiff M.J. ("M.J."), a minor, by his parents and guardians ALBERT JONES and KAREN JONES, was a citizen and resident of Grayslake, Lake County, Illinois.
2. At all relevant times, Defendant RONALD CLEMMONS ("CLEMMONS") was a citizen and resident of Libertyville, Lake County, Illinois.
3. At all relevant times, Defendant LOWER COUNCIL SCHOOL DISTRICT ("DISTRICT") was an organization under the laws of Illinois and was headquartered in Grayslake, Lake County, Illinois.

4. At all relevant times, Defendant BUD SMITH (“SMITH”) was a citizen and resident of McHenry, McHenry County, Illinois.
5. At all relevant times, Defendant ACE TRUCKING COMPANY (“ACE”) was an Illinois corporation organized under the laws of Illinois and headquartered in Gurnee, Lake County, Illinois.
6. At all relevant times, Defendant CLEMMONS, a 69-year-old, duly licensed school bus driver, was employed by and under the direction, supervision, and control of Defendant DISTRICT.
7. At all relevant times, Defendant SMITH, a duly licensed truck driver, was employed by and under the direction, supervision, and control of Defendant ACE.
8. On August 15, 2025, Plaintiff M.J. was a passenger on Defendant DISTRICT’s bus, operated by Defendant CLEMMONS, when a collision with Defendant ACE’s truck and trailer, operated by Defendant SMITH, occurred on Route 120 near the I-94 ramp in Gurnee, Illinois.

COUNT I – Defendant RONALD CLEMMONS

- 1-8. For paragraphs 1 through 8 of Count I, Plaintiff realleges paragraphs 1 through 8 as set forth above.
9. On August 15, 2025, Defendant CLEMMONS, as bus driver, had a duty of care to operate the Defendant DISTRICT’s bus in a reasonably safe manner to avoid hazard to all passengers, including Plaintiff M.J.
10. As the driver of the bus, Defendant CLEMMONS had a duty to adhere to the Illinois Vehicle Code, 625 ILCS 5/1-100 *et seq.*

11. Defendant CLEMMONS breached his duty by committing one or more of the following acts or omissions:

- a. Failed to properly report any risks to the safe condition of the bus;
- b. Failed to ensure all passengers were wearing seatbelts as required by DISTRICT's policy;
- c. Failed to adhere to all DISTRICT safety protocols;
- d. Failed to follow the designated field trip route when he became lost while driving the bus;
- e. Failed to operate the bus in a reasonably safe manner to avoid hazard to all passengers when the bus became involved in a collision with the truck; and
- f. Failed to follow Illinois Vehicle Code, as evidenced by a traffic citation issued at the scene.

12. That as a direct and proximate result of the foregoing negligent and/or careless acts and/or the omissions by Defendant CLEMMONS, Plaintiff M.J. was involved in the collision between the bus and truck and was thrown from his seat, causing serious and possibly permanent injuries and damages.

13. Plaintiff M.J.'s injuries and damages include, but are not limited to:

- a. concussion;
- b. wounds needing stitches on head and face;
- c. multiple broken ribs, impacting his breathing;
- d. two broken legs, inhibiting his ability to walk;
- e. surgery to pin and set both legs;

- f. pain, suffering, and emotional distress, both past and future, including loss of enjoyment of life and normal childhood activities, resulting from his injuries, surgeries, and ongoing physical limitations;
- g. future medical treatment(s), given the complications associated with M.J.'s young age; and
- h. such other damages as will be proved at trial in this matter.

WHEREFORE, Plaintiff M.J., a minor, by his parents and guardians, ALBERT JONES and KAREN JONES, prays this Honorable Court enter a judgment against Defendant RONALD CLEMMONS in an amount exceeding \$50,000.00, and for such other and further relief as this Court deems appropriate.

COUNT II – Defendant LOWER COUNCIL SCHOOL DISTRICT

- 1-8. For paragraphs 1 through 8 of Count II, Plaintiff realleges paragraphs 1 through 8 as set forth above.
- 9. On August 15, 2025, Defendant DISTRICT had a duty to take reasonable care to ensure the safety of its students, including Plaintiff M.J. during all school activities.
- 10. As an employer, Defendant DISTRICT had a duty of care to hire, train, and supervise its employees, including Defendant CLEMMONS, to ensure the safety of its students, including Plaintiff M.J.
- 11. Defendant DISTRICT had a duty of care to keep its students' guardians reasonably informed of emergencies, including details involving the status of their child's location and safety.

12. Defendant DISTRICT breached its duty by committing one or more of the following acts or omissions:

- a. Failed to properly maintain safe condition of DISTRICT's bus;
- b. Failed to ensure compliance with school safety protocols, including but not limited to use of seatbelts on the bus;
- c. Failed to thoroughly investigate Defendant CLEMMONS to ensure competency, including any age-, health-, or physical fitness-related limitations affecting his ability to safely operate a school bus;
- d. Failed to adequately train Defendant CLEMMONS to transport students safely from one location to another;
- e. Failed to adequately train and supervise Defendant CLEMMONS to follow appropriate routes, as seen when CLEMMONS became lost en route during the relevant DISTRICT field trip;
- f. Failed to keep Plaintiff M.J.'s parents reasonably informed of his location and safety when DISTRICT's communication was limited to an automated call saying that M.J.'s bus was delayed.

13. That as a direct and proximate result of the foregoing negligent and/or careless acts and/or the omissions by Defendant DISTRICT, Plaintiff M.J. was involved in the collision between the bus and truck and was thrown from his seat, causing serious and possibly permanent injuries and damages.

14. Plaintiff M.J.'s injuries and damages include, but are not limited to:

- a. concussion;
- b. wounds needing stitches on head and face;

- c. multiple broken ribs, impacting his breathing;
 - d. two broken legs, inhibiting his ability to walk;
 - e. surgery to pin and set both legs;
 - f. pain, suffering, and emotional distress, both past and future, including loss of enjoyment of life and normal childhood activities, resulting from his injuries, surgeries, and ongoing physical limitations;
 - g. future medical treatment(s), given the complications associated with M.J.'s young age; and
 - h. such other damages as will be proved at trial in this matter.
15. Alternatively, Defendant DISTRICT is liable under a theory of negligent entrustment in that DISTRICT entrusted its bus to Defendant CLEMMONS when DISTRICT knew or should have known that CLEMMONS was incompetent or unfit to operate the bus, including but not limited to:
- a. CLEMMONS's age and any associated physical or cognitive limitations affecting his ability to safely operate a school bus carrying minor passengers;
 - b. CLEMMONS's failure to demonstrate adequate knowledge of designated routes necessary to transport students safely; and
 - c. CLEMMONS's prior driving history, fitness-for-duty status, and any other factors bearing on his competency that a reasonable employer would have discovered through adequate investigation.
16. Alternatively, as the employer of Defendant CLEMMONS, Defendant DISTRICT is vicariously liable under respondeat superior for Defendant CLEMMONS's

negligent acts in that the accident occurred during the course of Defendant CLEMMONS's employment, while Defendant CLEMMONS was performing the kind of work Defendant CLEMMONS was employed to perform for Defendant DISTRICT and for the benefit of Defendant DISTRICT.

WHEREFORE, Plaintiff M.J., a minor, by his parents and guardians, ALBERT JONES and KAREN JONES, prays this Honorable Court enter a judgment against Defendant LOWER COUNCIL SCHOOL DISTRICT in an amount exceeding \$50,000.00, and for such other and further relief as this Court deems appropriate.

COUNT III – Defendant BUD SMITH

- 1-8. For paragraphs 1 through 8 of Count III, Plaintiff realleges paragraphs 1 through 8 as set forth above.
9. On August 15, 2025, Defendant SMITH had a duty to follow the Illinois Vehicle Code, 625 ILCS 5/1-100 *et seq.*, while operating the truck and trailer owned by Defendant ACE in order to prevent harm to all other vehicles on the road, including the school bus on which Plaintiff M.J. was a passenger.
10. Defendant SMITH had a duty to properly inspect for and/or maintain safe conditions of Defendant ACE's truck and trailer.
11. Defendant SMITH breached his duty by committing one or more of the following acts or omissions:
 - a. Failed to follow Illinois Vehicle Code as evidenced by a traffic citation issued at the scene;
 - b. Failed to properly yield right-of-way; and

- c. Failed to properly inspect for and/or maintain safe conditions of Defendant ACE's truck and trailer while responsible for the vehicle.
- 12. That as a direct and proximate result of the foregoing negligent and/or careless acts and/or omissions by Defendant SMITH, Plaintiff M.J. was involved in the collision between the bus and truck and was thrown from his seat, causing serious and possibly permanent injuries and damages.
- 13. Plaintiff M.J.'s injuries and damages include, but are not limited to:
 - a. concussion;
 - b. wounds needing stitches on head and face;
 - c. multiple broken ribs, impacting his breathing;
 - d. two broken legs, inhibiting his ability to walk;
 - e. surgery to pin and set both legs;
 - f. pain, suffering, and emotional distress, both past and future, including loss of enjoyment of life and normal childhood activities, resulting from his injuries, surgeries, and ongoing physical limitations;
 - g. future medical treatment(s), given the complications associated with M.J.'s young age; and
 - h. such other damages as will be proved at trial in this matter.

WHEREFORE, Plaintiff M.J., a minor, by his parents and guardians, ALBERT JONES and KAREN JONES, prays this Honorable Court enter a judgment against Defendant BUD SMITH in an amount exceeding \$50,000.00, and for such other and further relief as this Court deems appropriate.

COUNT IV – Defendant ACE TRUCKING COMPANY

- 1-8. For paragraphs 1 through 8 of Count IV, Plaintiff realleges paragraphs 1 through 8 as set forth above.
9. On August 15, 2025, Defendant ACE had a duty of care to adequately hire, train, and supervise its employees, including Defendant SMITH, to ensure competency.
10. Defendant ACE had a duty to ensure its drivers followed the Illinois Vehicle Code, 625 ILCS 5/1-100 *et seq.*, in order to prevent harm to all other vehicles on the road, including the school bus on which Plaintiff M.J. was a passenger.
11. Defendant ACE had a duty to inspect for and/or maintain safe conditions of its fleet of vehicles.
12. Defendant ACE breached its duty by committing one or more of the following acts or omissions:
- a. Failed to adequately hire, train, and supervise Defendant SMITH to ensure competency;
 - b. Failed to ensure Defendant SMITH followed the Illinois Vehicle Code in order to prevent harm to all other vehicles on the road, including the school bus on which Plaintiff M.J. was a passenger;
 - c. Failed to properly inspect for and/or maintain safe conditions of its fleet.
13. That as a direct and proximate result of the foregoing negligent and/or careless acts and/or the omissions by Defendant ACE, Plaintiff M.J. was involved in the collision between the bus and truck and was thrown from his seat, causing serious and possibly permanent injuries and damages.

14. Plaintiff M.J.'s injuries and damages include, but are not limited to:

- a. concussion;
- b. wounds needing stitches on head and face;
- c. multiple broken ribs, impacting his breathing;
- d. two broken legs, inhibiting his ability to walk;
- e. surgery to pin and set both legs;
- f. pain, suffering, and emotional distress, both past and future, including loss of enjoyment of life and normal childhood activities, resulting from his injuries, surgeries, and ongoing physical limitations;
- g. future medical treatment(s), given the complications associated with M.J.'s young age; and
- h. such other damages as will be proved at trial in this matter.

15. Alternatively, Defendant ACE is liable under a theory of negligent entrustment in that ACE entrusted its truck to Defendant SMITH when ACE knew or should have known that SMITH was incompetent or unfit to operate the truck, including but not limited to:

- a. SMITH's prior driving record, including any traffic violations, accidents, or license suspensions that a reasonable commercial carrier would have discovered through adequate investigation;
- b. SMITH's compliance with applicable federal motor carrier regulations, including but not limited to medical certification and hours-of-service requirements under the Federal Motor Carrier Safety Regulations, 49 C.F.R. Parts 380-399; and

- c. any other factors bearing on SMITH's competency to safely operate a commercial truck and trailer that ACE knew or should have known through the exercise of reasonable care.

16. Alternatively, as the employer of Defendant SMITH, Defendant ACE is vicariously liable under respondeat superior for Defendant SMITH's negligent acts in that the accident occurred during the course of Defendant SMITH's employment, while Defendant SMITH was performing the kind of work Defendant SMITH was employed to perform for Defendant ACE and for the benefit of Defendant ACE.

WHEREFORE, Plaintiff M.J., a minor, by his parents and guardians, ALBERT JONES and KAREN JONES, prays this Honorable Court enter a judgment against Defendant ACE TRUCKING COMPANY in an amount exceeding \$50,000.00, and for such other and further relief as this Court deems appropriate.

PLAINTIFF DEMANDS TRIAL BY A 12 PERSON JURY

By _____
Roy Saunders, Attorney for
Plaintiff M.J. by and through Albert
& Karen Jones

CERTIFICATION PURSUANT TO SECTION 1-109

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and

such matters the undersigned certifies as aforesaid that they verily believe the same to be true.

ALBERT JONES

KAREN JONES

Roy Saunders
Saunders & Associates Law Offices
ARDC# 0011222
24 South County St
Waukegan, IL 60085
847-555-1234
roy@saunderslaw.com