

IN THE CIRCUIT COURT OF PEARL RIVER COUNTY, MISSISSIPPI

RONALD STAFFORD

PLAINTIFF

v.

Civil Action No. 2015-0146

MALLORIE HUDSON-KLINE ORY,  
GOVERNMENT EMPLOYEES  
INSURANCE COMPANY, GEICO  
INSURANCE AGENCY, INC.,  
LAMORAK INSURANCE COMPANY  
f/k/a ONE BEACON AMERICA  
INSURANCE COMPANY, ATLANTIC  
SPECIALTY INSURANCE COMPANY  
d/b/a ONEBEACON AMERICA  
INSURANCE, OBI NATIONAL  
INSURANCE COMPANY d/b/a  
ONEBEACON AMERICA INSURANCE  
and UNKNOWN INSURANCE  
COMPANIES 1-5

**FILED**

SEP 10 2015

VICKIE P. HANIEL, CIRCUIT CLERK  
By M. Bowma D.C.

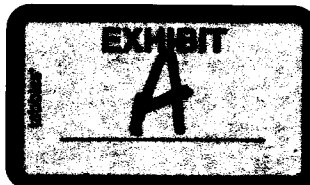
DEFENDANTS

**COMPLAINT**  
**(Jury Trial Demanded)**

Ronald Stafford files his complaint for damages against Mallorie Hudson-Kline Ory, Government Employees Insurance Company, Lamorak Insurance Company, Atlantic Specialty Insurance Company, OBI National Insurance Company and Unknown Insurance Companies 1-5. In support of his complaint, Plaintiff states:

**I. PARTIES**

1. Plaintiff is an adult citizen of the state of Mississippi who resides in Pearl River County at 52 Dillard Road, Poplarville, Mississippi 39470.
2. Defendant Mallorie Kline-Hudson Ory is, upon information and belief, an adult resident of the state of Texas who resides at 5322 Business 78, Farmersville, Texas 75442.



3. Defendant Government Employees Insurance Company is an insurance company licensed to do business in the state of Mississippi with its home office in the state of Maryland at 5260 Western Avenue, Chevy Chase, MD 20815-3799. GEICO may be served with process of this Court through its registered agent, CT Corporation System of Mississippi, 645 Lakeland East Drive, Suite 101, Flowood, Mississippi 39232. GEICO Insurance Agency, Inc. is a Maryland corporation qualified to do business in the state of Mississippi with its principal place of business in the state of Maryland at 5260 Western Avenue, Chevy Chase, MD 20815-3799. GEICO Insurance Agency, Inc. may be served with process of this Court through its registered agent, CT Corporation System of Mississippi, 645 Lakeland East Drive, Suite 101, Flowood, Mississippi 39232. Collectively hereinafter these Defendants will be referred to as "GEICO."

4. Defendant Lamorak Insurance Company, formerly known as OneBeacon America Insurance Company, is an insurance company licensed to do business in the state of Mississippi with its home office in the state of Pennsylvania at 1880 JFK Boulevard, Suite 801, Philadelphia, Pennsylvania 19103. Lamorak Insurance Company may be served with process of this Court through its registered agent, CT Corporation System of Mississippi, 645 Lakeland East Drive, Suite 101, Flowood, Mississippi 39232.

5. Defendant Atlantic Specialty Insurance Company, doing business as OneBeacon America Insurance, is an insurance company licensed to do business in the state of Mississippi with its home office in the state of New York at 77 Water Street, New York, New York 1005. Atlantic Specialty Insurance Company may be served with process of this court through its registered agent Roy A. Smith, Jr., 4400 Old Canton Road, Suite 400, Jackson, Mississippi 39211.

6. Defendant OBI National Insurance Company, doing business as OneBeacon America Insurance, is an insurance company licensed to do business in the state of Mississippi with its

home office in the state of Pennsylvania at 116 Pines Street, Suite 320, Harrisburg, Pennsylvania 17101. OBI National Insurance Company may be served with process of this court through its registered agent Roy A. Smith, Jr., 4400 Old Canton Road, Suite 400, Jackson, Mississippi 39211.

7. Defendants Unknown Insurance Companies 1-5 are insurance companies that may have provided underinsured motorist coverage to Plaintiff, the identities of which companies are unknown to Plaintiff at this time.

## II. JURISDICTION AND VENUE

8. The Court has jurisdiction over the subject matter of this lawsuit under Miss. Code Ann. § 9-7-81. The Court has jurisdiction over Defendant Ory, as she was a resident of Mississippi at time of the events complained of, and she is alleged to have committed a tort against a resident of Mississippi in Mississippi. The Court has jurisdiction over the insurance company defendants as all are licensed to do business in Mississippi and issue contracts of insurance to Mississippi residents.

9. Venue is proper in this county under Miss. Code Ann. § 11-11-3.

## III. FACTS

10. On September 13, 2012, Plaintiff was driving a vehicle owned by Pearl River County in the course of his employment with the county. As he was traveling south on Ceasar Road in Pearl River County, he was rear-ended by the vehicle driven by Defendant Ory. Immediately before the collision, Plaintiff was driving the county vehicle in a lawful manner. Upon information and belief, Defendant Ory was looking down at her phone immediately before the collision and failed to see Plaintiff's vehicle.

11. As a result of the collision, Plaintiff has sustained the following injuries:

- (a) Closed head injury;
- (b) Neck pain;
- (c) Back pain;
- (d) Neck/Back pain with radiculopathy;
- (e) Whiplash;
- (f) Chest wall contusion;
- (g) Chemical exposure;
- (h) Headache;
- (i) Peripheral neuropathy;
- (j) Muscle spasm;
- (k) Torticollis;
- (l) Severe disc bulge with accompanying dorsal endplate osteophytes and uncinata at C5-6 results in minimal ventral indentation of the cord and mild central canal stenosis. Moderate to severe bilateral foraminal encroachment;
- (m) Left posterolateral disc osteophyte complex at C2-3 and C3-4. This results in mild left ventral indentation of the cord at both levels and mild encroachment on the left C3 and left C4 nerve roots;
- (n) Mild right foraminal encroachment at C4-5 and C6-7 associated with uncinata spurring;
- (o) Mild bulge at T2-3 results in subtle ventral indentation of the cord without canal stenosis; and,
- (p) Any other injuries to be proven at trial.

12. At the time of the collision, Plaintiff owned an automobile insurance policy issued by GEICO which provided underinsured motorist coverage to Plaintiff.

13. Upon information and belief, the county vehicle which Plaintiff was driving was insured under a policy issued by OneBeacon America Insurance Company which is now known as Lamorak Insurance Company, which policy provided underinsured motorist coverage to Plaintiff. The county vehicle may have been insured by policies issued by Atlantic Specialty Insurance Company or OneBeacon Insurance Company, which policies provided underinsured motorist coverage to Plaintiff.

14. The county vehicle may have been insured by policies issued by Unknown Insurance Companies 1-5, which policies provided underinsured motorist coverage to Plaintiff.

**IV. COUNT ONE: NEGLIGENCE AGAINST DEFENDANT ORY**

15. The sole proximate cause of the collision described above and the resulting injuries to Plaintiff was the negligence of Defendant Ory. Such negligence consisted of failing to maintain a proper lookout, following too closely, driving at an excessive speed and other acts of negligence to be shown at trial.

16. Defendant Ory's negligence was the sole proximate cause of Plaintiff's damages described herein.

**V. COUNT TWO: CLAIM FOR UNDERINSURED MOTORIST BENEFITS FROM GEICO**

17. At the time of the collision, Plaintiff was insured under an automobile policy issued by GEICO which provided underinsured motorist coverage.

18. Defendant Ory is an underinsured motorist.

19. Plaintiff is entitled to recover from GEICO all amounts he would be entitled to recover from Defendant Ory as damages sustained as a proximate result of the collision in question, up to the applicable coverage limit.

**VI. COUNT THREE: CLAIM FOR UNDERINSURED MOTORIST BENEFITS FROM LAMORACK INSURANCE COMPANY f/k/a ONEBEACON AMERICA INSURANCE COMPANY**

20. At the time of the collision, the vehicle driven by the Plaintiff was insured under an automobile policy issued by OneBeacon America Insurance Company, which is now known as Lamorak Insurance Company. The policy provided underinsured motorist coverage to Plaintiff.

21. Defendant Ory is an underinsured motorist.

22. Plaintiff is entitled to recover from Lamorak Insurance Company all amounts he would be entitled to recover from Defendant Ory as damages sustained as a proximate result of the collision in question, up to the applicable coverage limit.

**VII. COUNT FOUR: CLAIM FOR UNDERINSURED MOTORIST BENEFITS FROM ATLANTIC SPECIALTY INSURANCE COMPANY AND OBI NATIONAL INSURANCE COMPANY**

23. At the time of the collision, the vehicle driven by the Plaintiff may have been insured under an automobile policy issued by Atlantic Specialty Insurance Company or OBI National Insurance Company. The policy provided underinsured motorist coverage to Plaintiff.

24. Defendant Ory is an underinsured motorist.

25. Plaintiff is entitled to recover from Atlantic Specialty Insurance Company or OBI National Insurance Company all amounts he would be entitled to recover from Defendant Ory as damages sustained as a proximate result of the collision in question, up to the applicable coverage limit.

**VIII. COUNT FIVE: CLAIM FOR UNDERINSURED MOTORIST BENEFITS FROM UNKNOWN INSURANCE COMPANIES 1-5**

26. At the time of the collision, the vehicle driven by the Plaintiff may have been insured under an automobile policy issued by Unknown Insurance Companies 1-5. The policy provided underinsured motorist coverage to Plaintiff.

27. Defendant Ory is an underinsured motorist.

28. Plaintiff is entitled to recover from Unknown Insurance Company 1-5 all amounts he would be entitled to recover from Defendant Ory as damages sustained as a proximate result of the collision in question, up to the applicable coverage limit.

**IX. DAMAGES**

29. The negligence of Defendant Ory was the proximate cause of Plaintiff's damages as follows:

- a. Past and future medical expenses;
- b. Past and future pain and suffering;
- c. Past and future mental anguish resulting from the physical injuries;
- d. Past and future loss of earnings;
- e. Loss and enjoyment of life;
- f. Loss of household services; and,
- g. Any other category of damages available under the law and supported by the evidence.

WHEREFORE, Plaintiff demands judgment against Defendant Ory in an amount sufficient to compensate him for the damages described herein and judgment against GEICO, Lamorak Insurance Company, Atlantic Specialty Insurance Company, OBI National Insurance

Company and Unknown Insurance Companies 1-5 for the damages described herein up to the applicable limits of underinsured motorist insurance.

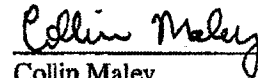
JURY TRIAL DEMANDED

This 10 day of September, 2015.

Respectfully submitted,

RONALD STAFFORD

By:



Collin Maley,  
His Attorney

Of Counsel:

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