

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY

01-030275-NP



JUDGE STEVEN N. ANDREWS
KEGLOVITZ ST VS FLINT & FR

STEVEN P. KEGLOVITZ; ROSEMARY A.
KEGLOVITZ and STEVEN P. KEGLOVITZ, as
Next Friend of NICOLE KEGLOVITZ, a minor,

Plaintiffs,

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CLERK

Case No.: 01- -NP

-vs-

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FLINT & FRIZZEN GUN SHOP; CONNECTICUT
VALLEY ARMS; TRADITIONS PERFORMANCE
FIREARMS; and ANNA SUNAL, by

DEPUTY CLERK

Defendants.

B. A. TYLER (P25404)
Attorney for Plaintiff
2000 Town Center, Ste. 900
Southfield, MI 48075-1100
(248) 746-4088

There is no other pending or resolved civil action arising out of the transaction or occurrence alleged in the complaint.

COMPLAINT

NOW COME the Plaintiffs, **STEVEN P. KEGLOVITZ; ROSEMARY A. KEGLOVITZ and STEVEN P. KEGLOVITZ, as Next Friend of NICOLE KEGLOVITZ, a minor, by and through their attorneys, SOMMERS, SCHWARTZ, SILVER & SCHWARTZ, P.C., and for their Complaint, state as follows:**

1. That at all pertinent times hereto, Plaintiffs were residents of the State of Michigan.
2. That at all pertinent times hereto, Defendants existed and/or did business within the County of Oakland, State of Michigan.

3. That this matter is within the jurisdiction of this Court in that it seeks damages in excess of Twenty-five Thousand (\$25,000.00) Dollars, exclusive of interest and costs.

4. That venue is proper in Oakland County, pursuant to MCL 600.1629(c).

5. That on or about June 10, 2000, Plaintiff, Steven Keglovitz, was using a muzzleloader which had been made for, marketed and distributed by either Defendant, Connecticut Valley Arms, or Defendant, Traditions Performance Firearms and had previously been examined and approved by Defendant, Flint & Frizzen Gun Shop.

6. That at the aforereferenced time, said muzzleloader caused serious injury to Steven Keglovitz, as a result of the design and manufacturing defects, including the barrel which contained a crack or slag line.

7. That Defendants owed certain duties to Plaintiff, Steven P. Keglovitz, but breached same, including but not limited to:

Connecticut Valley Arms and Traditions Performance Firearms

- a. importing a firearm that was defective;
- b. failing to eliminate design and manufacturing defects; and
- c. failing to inform users of said defects.

Flint & Frizzen Gun Shop

- a. failing to inform Plaintiffs that said firearm contained the aforereferenced defects and should not be used.

Anna Sunal

- a. failing to inform Plaintiffs that said firearm contained the aforereferenced defects and should not be used; and
- b. selling a firearm which was defective.

8. That as a proximate cause of Defendants' breaches, Plaintiff, Steven P. Keglovitz, was caused to suffer injuries and damages.

LAW OFFICES
SOMMERS, SCHWARTZ, SILVER & SCHWARTZ, P.C.
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9. That at all times hereto, Plaintiff, Rosemary A. Keglovitz, was the wife of Plaintiff, Steven P. Keglovitz, and as a result of the wrongful acts of Defendants, has suffered a loss of consortium.

10. That at all pertinent times hereto, Plaintiff, Nicole Keglovitz, was the minor child of Plaintiff, Steven P. Keglovitz, and as a result of the wrongful acts of Defendants, has suffered a loss of society and companionship.

WHEREFORE, Plaintiffs pray that this Honorable Court enter judgment in their favor in whatever amount they are found to be entitled to, said amount to be in excess of the jurisdictional limits of this Court.

Respectfully submitted,

SOMMERS, SCHWARTZ, SILVER &
SCHWARTZ, P.C.

BY: _____

B. A. TYLER (P25404)
Attorney for Plaintiffs
2000 Town Center, Ste. 900
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Date: March 14, 2001