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CLERK OF COURT
DOCKET ENTRY
LAW DIVISION

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

JUDY MINOR JACKSON,

Plaintiff,

v.

BURR OAK CEMETERY, L.L.C., an Illinois corporation; PERPETUA-BURR OAK HOLDINGS OF ILLINOIS, L.L.C, an Illinois corporation; CHICAGO BURR OAK CEMETERY, an Illinois corporation; and CHICAGO BURR OAK CEMETERY ASSOCIATION, INC., an Illinois corporation,

Defendants.

No.

2009L008082
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PLAINTIFF DEMANDS TRIAL BY JURY

COMPLAINT AT LAW

Plaintiff, JUDY MINOR JACKSON, by her attorneys, CORBOY & DEMETRIO, P.C., and complaining of defendants, BURR OAK CEMETERY, L.L.C., an Illinois corporation; PERPETUA-BURR OAK HOLDINGS OF ILLINOIS, L.L.C, an Illinois corporation; CHICAGO BURR OAK CEMETERY, an Illinois corporation; and CHICAGO BURR OAK CEMETERY ASSOCIATION, INC., an Illinois corporation, states as follows:

COUNT I

Intentional Infliction of Emotional Distress - Destruction of Graves and Desecration of Remains

1. On and prior to July 9, 2009, the defendants, owned, maintained, managed, operated, and controlled a property located at 4400 West 127th Street in Alsip, Cook County,

Illinois.

2. On and prior to July 9, 2009, the defendants operated a cemetery business at said location, and assumed the responsibility of burying, storing, preserving and memorializing the remains of deceased humans.

3. On and prior to July 9, 2009, it was the duty of the defendants to protect, preserve and maintain the grave sites and remains so that the deceased could be properly honored and respected by family members.

4. Prior to July 9, 2009, plaintiff's mother, Adrienne Minor, and plaintiff's husband, Wayne Jackson, were buried in Burr Oak Cemetery in grave sites marked with labeled tombstones.

5. Prior to July 9, 2009, Keith Nicks, Maurice Dailey, Carolyn Towns, Terrence Nicks, and others, were agents and employees of defendants, and charged with the responsibility of maintaining and preserving the graves and remains buried therein.

6. Prior to July 9, 2009, the defendants, by and through its employees, Keith Nicks, Maurice Dailey, Carolyn Towns, Terrence Nicks, and others, unearthed the graves of Wayne Jackson and Adrienne Minor, destroyed the headstones, and desecrated the remains of Wayne Jackson and Adrienne Minor.

7. Prior to July 9, 2009, when the defendants, by and through its agents and employees, unearthed the graves, destroyed the headstones, and desecrated the remains of Wayne Jackson and Adrienne Minor, defendant knew that such conduct would likely cause emotional distress to the plaintiff and other family members of Wayne Jackson and Adrienne Minor.

8. On July 9, 2009, plaintiff, JUDY MINOR JACKSON, learned that the graves of

her husband and mother were unearthed, the headstones destroyed, and that the remains of her husband and mother were desecrated.

9. As a proximate result of the intentional acts of the defendants by its employees, Keith Nicks, Maurice Dailey, Carolyn Towns, Terrence Nicks, and others, plaintiff, JUDY MINOR JACKSON, suffered injuries of a personal and pecuniary nature.

WHEREFORE, plaintiff, JUDY MINOR JACKSON, demands judgment against defendants, BURR OAK CEMETERY, L.L.C., an Illinois corporation; PERPETUA-BURR OAK HOLDINGS OF ILLINOIS, L.L.C, an Illinois corporation; CHICAGO BURR OAK CEMETERY, an Illinois corporation; and CHICAGO BURR OAK CEMETERY ASSOCIATION, INC., an Illinois corporation, for an amount in excess of the minimum amount required for jurisdiction in the Law Division of the Circuit Court of Cook County.

COUNT II

Breach of Contract - Destruction of Grave and Desecration of Remains

1. On and prior to July 9, 2009, the defendants owned, maintained, managed, operated, and controlled a property located at 4400 West 127th Street in Alsip, Cook County, Illinois.

2. On and prior to July 9, 2009, the defendants operated a cemetery business at said location, and assumed the contractual responsibility of burying, storing, preserving and memorializing the remains of deceased humans.

3. On and prior to July 9, 2009, it was the contractual duty of the defendants to protect, preserve and maintain the grave sites and remains so that the deceased could be properly honored and respected by family members.

4. Prior to July 9, 2009, plaintiff's mother, Adrienne Minor, and her husband, Wayne Jackson, were buried in Burr Oak Cemetery in grave sites marked with labeled tombstones.

5. Prior to July 9, 2009, the defendants allowed the graves of Wayne Jackson and Adrienne Minor to be unearthed, the headstones destroyed, and the remains of Wayne Jackson and Adrienne Minor to be desecrated.

6. On July 9, 2009, plaintiff, JUDY MINOR JACKSON, was an intended beneficiary of defendants' expressed and/or implied burial contract.

7. As a proximate result of the breach of contract by the defendants, the plaintiff, JUDY MINOR JACKSON, suffered pecuniary and consequential damages.

WHEREFORE, plaintiff, JUDY MINOR JACKSON, demands judgment against defendants, BURR OAK CEMETERY, L.L.C., an Illinois corporation; PERPETUA-BURR OAK HOLDINGS OF ILLINOIS, L.L.C, an Illinois corporation; CHICAGO BURR OAK CEMETERY, an Illinois corporation; and CHICAGO BURR OAK CEMETERY ASSOCIATION, INC., an Illinois corporation, for an amount in excess of the minimum amount required for jurisdiction in the Law Division of the Circuit Court of Cook County.



Daniel M. Kotin

Daniel M. Kotin
Corboy & Demetrio, P.C.
Attorney for Plaintiff
33 North Dearborn Street, 21st Floor
Chicago, Illinois 60602
(312) 346-3191
Firm I.D. No. 02329