

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

CHOWDHURY TAHER and)
BATOOL FAROOQ, Individually and)
as Parents of REHAN CHOWDHURY,)
a minor,)

Plaintiffs,)

vs.)

No.)

FIRST HOSPITALITY GROUP INC.,)
d/b/a HOLIDAY INN SELECT –)
CHICAGO O'HARE and)
ROSEMONT RREF, LLC)

Defendants,)

FILED LAW DIVISION
2009 JUL 22 AM 10:08
DOROTHY BISHOP
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL

COMPLAINT AT LAW

NOW COMES the Plaintiff, CHOWDHURY TAHER and BATOOL FAROOQ, Individually and as parents of REHAN CHOWDHURY, a minor, by and through their attorneys, CURCIO LAW OFFICES, and complaining of the Defendant, FIRST HOSPITALITY GROUP INCORPORATED D/B/A HOLIDAY INN SELECT – CHICAGO O'HARE and ROSEMONT RREF, LLC, states as follows:

COUNT I - FIRST HOSPITALITY GROUP INCORPORATED d/b/a HOLIDAY INN SELECT – CHICAGO O'HARE

1. That on and before August 25, 2007, and all relevant times herein, the Defendant owned and operated a hotel located at 10233 West Higgins Road, Rosemont, Illinois and known as the Holiday Inn Select – Chicago O'Hare.

2. That on or about August 25, 2007, Plaintiffs arrived to the Holiday Inn Select – Chicago O'Hare for purposes of staying overnight in a room rented to them by Defendant.

3. That upon their arrival, Plaintiffs registered and were assigned by the front desk to their hotel room.

4. That on and before the aforesaid date, the room assigned to the plaintiffs was infested with bed bugs.

5. That on and before the aforesaid date, the defendant knew, or in the exercise of due care, should have known that the room assigned to the plaintiffs was infested with bed bugs.

6. That on the aforesaid date and at all times relevant hereto, it was the duty of the defendant to maintain the hotel and its rooms in a safe and habitable condition and to keep its rooms free from insect infestations.

7. That on the aforesaid date, and at all relevant times herein, the defendant was guilty of one or more or all of the following negligent acts and/or omissions to act:

- a. Carelessly and negligently allowed an infestation of insects in the room rented to and occupied by the plaintiffs;
- b. Carelessly and negligently failed to exterminate an infestation of insects in the room rented to and occupied by the plaintiffs;
- c. Carelessly and negligently failed to warn plaintiffs of an infestation of insects in the room rented to and occupied by the plaintiffs;
- d. Carelessly and negligently failed to provide plaintiffs a safe and habitable room.

8. That as a result of defendant's negligent acts and/or omissions to act, the plaintiffs suffered physical and psychological injuries, requiring them to incur medical expenses, pain and suffering, disability and loss of wages.

9. Moreover, the insects were unknowingly transported from the defendants' room to plaintiffs home and have subsequently infested plaintiff's home, requiring plaintiffs to incur unnecessary time and expenses in attempts to rid their home of the insect infestation.

WHEREFORE, the Plaintiffs, CHOWDHURY TAHER and BATOOL FAROOQ, Individually and as parents of REHAN CHOWDHURY, a minor, requests judgment be entered against the Defendant, FIRST HOSPITALITY GROUP INCORPORATED d/b/a HOLIDAY INN SELECT – CHICAGO O'HARE in an amount in excess of FIFTY THOUSAND (\$50,000.00) DOLLARS.

COUNT II - ROSEMONT RREF, LLC

1. That on and before August 25, 2007, and all relevant times herein, the Defendant owned and operated a hotel located at 10233 West Higgins Road, Rosemont, Illinois and known as the Holiday Inn Select – Chicago O'Hare.

2. That on or about August 25, 2007, Plaintiffs arrived to the Holiday Inn Select – Chicago O'Hare for purposes of staying overnight in a room rented to them by Defendant.

3. That upon their arrival, Plaintiffs registered and were assigned by the front desk to their hotel room.

4. That on and before the aforesaid date, the room assigned to the plaintiffs was infested with bed bugs.

5. That on and before the aforesaid date, the defendant knew, or in the exercise of due care, should have known that the room assigned to the plaintiffs was infested with bed bugs.

6. That on the aforesaid date and at all times relevant hereto, it was the duty of the defendant to maintain the hotel and its rooms in a safe and habitable condition and to keep its rooms free from insect infestations.

7. That on the aforesaid date, and at all relevant times herein, the defendant was guilty of one or more or all of the following negligent acts and/or omissions to act:

- a. Carelessly and negligently allowed an infestation of insects in the room rented to and occupied by the plaintiffs;
- b. Carelessly and negligently failed to exterminate an infestation of insects in the room rented to and occupied by the plaintiffs;
- c. Carelessly and negligently failed to warn plaintiffs of an infestation of insects in the room rented to and occupied by the plaintiffs;
- d. Carelessly and negligently failed to provide plaintiffs a safe and habitable room.

8. That as a result of defendant's negligent acts and/or omissions to act, the plaintiffs suffered physical and psychological injuries, requiring them to incur medical expenses, pain and suffering, disability and loss of wages.

9. Moreover, the insects were unknowingly transported from the defendants' room to plaintiffs home and have subsequently infested plaintiffs

home, requiring plaintiffs to incur unnecessary time and expenses in attempts to rid their home of the insect infestation.

WHEREFORE, the Plaintiffs, CHOWDHURY TAHER and BATOOL FAROOQ, Individually and as parents of REHAN CHOWDHURY, a minor, requests judgment be entered against the Defendant, ROSEMONT RREF, LLC in an amount in excess of FIFTY THOUSAND (\$50,000.00) DOLLARS.

Respectfully submitted,

CURCIO LAW OFFICES

By:


Joseph R. Curcio

CURCIO LAW OFFICES
Attorneys for Plaintiff
161 N. Clark St., Suite 2550
Chicago, IL 60601
(312) 321-1111
Attorney No.: 02485

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AFFIDAVIT PURSUANT TO SUPREME COURT RULE 222(b)

JOSEPH R. CURCIO, on oath, deposes and states as follows:

1. I am one of the attorneys assigned to the case on behalf of the Plaintiffs, CHOWDHURY TAHER and BATOOL FAROOQ, Individually and as parents of REHAN CHOWDHURY, a minor.

2. I have personally discussed the circumstances of this occurrence with the Plaintiffs and have learned the nature and extent of their resulting injuries.

3. Based upon information presently available regarding the nature and extent of the Plaintiff's injuries, I believe total damages exceed \$50,000.00.

FURTHER YOUR AFFIANT SAYETH NOT

By:


Joseph R. Curcio

SUBSCRIBED AND SWORN TO
before me this 17 day
of July, 2009


Notary Public

