

Filing # 73225518 E-Filed 06/07/2018 11:48:36 AM

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL
CIRCUIT IN AND FOR PALM BEACH COUNTY,
FLORIDA

CASE NO.

JUDGE:

KASEEDRA WILLIAMS, AS PARENT AND NATURAL
GUARDIAN OF BRANDON SMALL, JR., A MINOR,

Plaintiff,

vs.

SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA,

Defendant.

COMPLAINT

Plaintiff, KASEEDRA WILLIAMS, as parent and legal guardian of BRANDON SMALL, JR. a minor child, through undersigned counsel, hereby sues Defendant, SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, and as grounds therefore, alleges the following:

GENERAL ALLEGATIONS

1. This is an action for damages in excess of Fifteen Thousand (\$15,000.00) Dollars, excluding attorney's fees and costs.
2. At all material times, Plaintiff, KASEEDRA WILLIAMS, as parent and legal guardian of BRANDON SMALL, JR. a minor child, was/is a resident of Palm Beach County, Florida and is otherwise *sui juris*.
3. Defendant, SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, at all times material to this cause, is a governmental entity conducting business in the State of Florida and maintaining offices in Palm Beach County, Florida, and is subject to suit pursuant to Florida State Statute 768.28(6)(a).

4. On or about May 23, 2017, Defendant, SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, owned, possessed, operated, maintained and/or controlled Freedom Shores Elementary School located at 3400 Hypoluxo Road, Boynton Beach, Palm Beach County, Florida and was at all times responsible for the care and supervision of students at the school during school hours.
5. The actions which form the basis for this Complaint occurred in Palm Beach County, Florida.
6. Notice of this claim was presented to the SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, on or about June 5, 2017, in compliance with Florida Statutes Section 768.28(6). A copy of the required notice is attached as *Exhibit "A"*. All conditions precedent to filing this claim have occurred.

COUNT I - NEGLIGENT SUPERVISION

Plaintiff, adopts and re-alleges paragraphs one (1) through six (6) as if fully set forth herein.

7. On May 23, 2017, BRANDON SMALL, JR., was a student at Freedom Shores Elementary School when he was injured by another student ("John Doe"), when ("John Doe") stabbed a pencil in Plaintiff's, BRANDON SMALL, JR., left wrist, in the presence of teachers and staff.
8. Approximately, two weeks prior to this incident employees and staff of Freedom Shores Elementary School were made aware when Plaintiff, BRANDON SMALL, JR., was injured by student ("John Doe").
9. At all times material, the SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, and its employees, agents and apparent agents, owed Plaintiff, BRANDON SMALL, Jr., a duty to take all reasonable measures to protect Plaintiff, BRANDON SMALL, Jr., from the risk of foreseeable harm.
10. Defendant, SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, through its employees, agents and/or apparent agents breached these duties by committing one or more of the following acts of omission or commission:

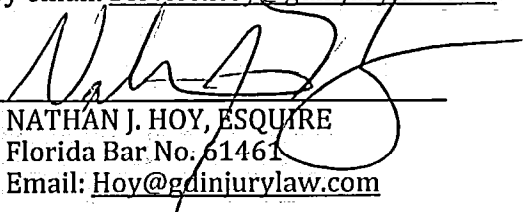
- a. Failing to provide a reasonably safe environment for Plaintiff, BRANDON SMALL, Jr.;
- b. Failing to take reasonable actions to protect Plaintiff, BRANDON SMALL, Jr., from the known risk of violence from John Doe.
- c. Failing to intervene in a timely manner;
- d. Failing to separate Plaintiff, BRANDON SMALL, Jr., and John Doe after the first assault occurred;
- e. Failing to create policies and procedures sufficient to protect youths including BRANDON SMALL, JR., from the unreasonable risk of injury;
- f. Failing to train its employees in a manner sufficient to protect youths including BRANDON SMALL, JR., from the unreasonable risk of injury;
- g. Failing to supervise its employees in a manner sufficient to protect youths including BRANDON SMALL, JR. from the unreasonable risk of injury.

WHEREFORE, Plaintiff, KASEEDRA WILLIAMS, as parent and legal guardian of BRANDON SMALL, JR. a minor child, demands judgment against Defendant, SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA,, for damages in excess of Fifteen Thousand (\$15,000.00) Dollars, pre-judgment interest where applicable, and demands trial by jury on all issues so triable as a matter of right by a jury.

DATED this _____ day of APRIL 2018.

GOLDMAN & DASZKAL, P.A.
Attorneys for Plaintiff
1630 West Hillsboro Boulevard
Deerfield Beach, FL, Florida 33442
Telephone: (954) 428-9333/ Fax: (954) 428-9338
Primary email: Service.Hoy@gdinjurylaw.com

BY: _____


NATHAN J. HOY, ESQUIRE
Florida Bar No. 61461
Email: Hoy@gdinjurylaw.com