

Filing # 83039999 E-Filed 01/08/2019 04:40:56 PM

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

CASE NO.:  
JUDGE:

DIANE OBERLANDER,

Plaintiff,

vs.

J. ALEXANDER'S, LLC,

Defendant.

\_\_\_\_\_ /

**COMPLAINT**

Plaintiff, DIANE OBERLANDER, through counsel, hereby sues Defendant, J. ALEXANDER'S, LLC, and as grounds therefore alleges the following:

**PARTIES, JURISDICTION & VENUE**

1. This is an action for damages which exceed Fifteen Thousand (\$15,000.00) dollars, exclusive of fees and costs.
2. Plaintiff, DIANE OBERLANDER, at all times material to this cause, was a resident of Palm Beach County, Florida, and is otherwise *sui juris*.
3. Defendant, J. ALEXANDER'S, LLC, at all times material to this cause, was authorized to conduct and was conducting business in Palm Beach County, Florida.
4. All events giving rise to this Complaint occurred in Palm Beach County, Florida.

**COUNT I - NEGLIGENCE**

Plaintiff, DIANE OBERLANDER, hereby re-adopts and re-alleges each and every allegation contained in paragraphs 1 through 4 above as if fully set forth herein and further alleges the

following:

5. On December 24, 2017, Defendant, J. ALEXANDER'S, LLC, owned, possessed, operated, maintained and/or controlled the premises J. Alexander's Restaurant located at 1400 Glades Road, Boca Raton, Palm Beach County, Florida 33431.

6. On December 24, 2017, Plaintiff, DIANE OBERLANDER, was on said premises as a guest/invitee of Defendant, J. ALEXANDER'S, LLC, when she was injured.

7. As Plaintiff was in the ladies bathroom, and while she was in the stall, she slipped on a liquid substance, causing her to fall on the floor and sustain physical and dental injuries.

8. The existence of the liquid substance on the bathroom floor created an unreasonably dangerous and unsafe condition.

9. Defendant, J. ALEXANDER'S, LLC, its employees, agents, and/or apparent agents had actual or constructive notice of the existence of the liquid substance on the floor.

10. Defendant, J. ALEXANDER'S, LLC, owed Plaintiff a non-delegable duty to exercise reasonable care in the maintenance of said premises and to warn its guests/invitees of dangerous conditions it knew or should have known existed.

11. On December 24, 2017, Defendant, J. ALEXANDER'S, LLC, was negligent and failed to exercise reasonable care in one or more of the following ways:

- a. Failing to properly maintain the subject premises in a reasonable safe condition, allowing the subject premises to become dangerous, slippery, defective and unsafe, and in creating a slipping hazard for the Plaintiff and other, similar invitees;
- b. Failing to adequately train and supervise its employees and/or agents to locate and repair such hazards at the subject property;
- c. Failing to restrict access to the subject area that contained dangerous conditions;

- d. Failing to warn Plaintiff of dangerous conditions that existed at the subject premises that the Defendant knew or should have known existed;
- e. Failing to correct a dangerous condition it knew or should have known existed; and
- f. In other ways to be determined during discovery.

12. That as a direct and proximate result of Defendant, J. ALEXANDER'S, LLC'S, negligence, Plaintiff, DIANE OBERLANDER, sustained injuries resulting in pain and suffering, disability, disfigurement, mental anguish, loss of the capacity for enjoyment of life, expenses of hospitalization, medical and nursing care and treatment, loss of earnings and loss of the ability to earn money in the future, and aggravation of a previously existing condition, if any. These losses are either permanent or continuing in nature and Plaintiff, DIANE OBERLANDER, will suffer these losses in the future.

WHEREFORE, Plaintiff, DIANE OBERLANDER, demands judgment and damages against Defendant, J. ALEXANDER'S, LLC, for damages in excess of Fifteen Thousand Dollar (\$15,000.00), plus costs, and further demands trial by jury on all issues so triable as a right by jury.

DATED on this 8th day of January, 2019.

**GOLDMAN & DASZKAL, P.A.**  
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BY: \_\_\_\_\_

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