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

CASE NO.:

JANET HALL,

Plaintiff,

v.

BEST BUY STORES, L.P. d/b/a  
BEST BUY BOCA RATON,  
a foreign limited partnership,

Defendant.

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COMPLAINT

COMES NOW the Plaintiff, JANET HALL, by and through her undersigned counsel, and sues the Defendant, BEST BUY STORES, L.P. d/b/a BEST BUY BOCA RATON (hereinafter referred to as "BEST BUY"), and states the following in support thereof:

GENERAL ALLEGATIONS

1. This is an action for damages in excess of FIFTEEN THOUSAND (\$15,000.00) DOLLARS exclusive of interest and costs.
2. At all times material hereto, the Plaintiff, JANET HALL was and is, a resident of Coral Springs, Broward County, Florida.
3. At all times material hereto, the Defendant, BEST BUY, was and is a foreign corporation duly authorized to do business in Palm Beach County, Florida.
4. At all times material hereto, the Defendant, BEST BUY, was responsible

for, supervised; and maintained the internal floors on the property located at 20540 FL-7 in Boca Raton, Florida, more specifically the metal divider on the floor in the appliance area of the store that divides the floor between the different departments, through its agents; employees and servants.

5. Venue is proper in Palm Beach County, Florida because the acts and omissions referred to herein occurred in Palm Beach County, Florida.

6. On or about January 15, 2019, the Plaintiff, JANET HALL, was a business invitee at Best Buy which is located at 20540 FL-7 in Boca Raton, Palm Beach County, Florida.

7. As the Plaintiff was walking toward the appliance department in Best Buy on January 15, 2019, the Plaintiff tripped over a loose, raised metal divider which was located near the appliance department. This hazard caused the Plaintiff to fall violently and sustain serious and significant injuries.

8. On or about January 15, 2019, the Plaintiff, JANET HALL, was legally upon the Defendant's premises as a business invitee and was conducting herself in a reasonable and prudent manner for her own safety.

9. At said time and place, the Defendant, BEST BUY, owed the Plaintiff a duty to maintain this property in a reasonably safe condition and to adequately warn of dangerous conditions of which they knew or should have known.

10. That on or about January 15, 2019, the Plaintiff, JANET HALL, as she was walking toward the appliance department she tripped over the loose, raised metal divider that was on the floor that divides the floor of the appliance department with the rest of the store.

11. The Defendant, BEST BUY, breached its Non-delegable duty to Plaintiff by:

- a) failing to maintain the floors in a reasonably safe condition for business invitees;
- b) failing to correct the dangerous condition of which they knew or should have known in that the Defendant knew that the metal divider was loose and raised on the floor and failed to repair such metal divider;
- c) failing to have employees or agents of the Defendant's premises physically examine the floor and metal divider where the Plaintiff fell on a timely basis in conformity with known standards; and
- d) failing to adequately warn the Plaintiff with warnings, signs or markings of this dangerous condition.

12. It was reasonably foreseeable that a patron of Best Buy, more specifically the Plaintiff, would have no knowledge of the dangerous condition on the Defendant's premises.

13. The dangerous condition was either known to the Defendant or had existed for a sufficient length of time so that Defendant should have known of it.

14. That it was the duty of the aforesaid Defendant to use reasonable care in the maintenance; inspect; cleaning and repair the ceiling and floor, in a manner consistent with and in conformity with recognized standards.

15. That it was the duty of the aforesaid Defendant to have available sufficient personnel and equipment to properly inspect and maintain the aforesaid floor and metal divider in a condition reasonably safe for Plaintiff and free from defects and conditions rendering it unsafe.

16. That it was the duty of the aforesaid Defendant to warn Plaintiff of the aforesaid dangerous and unsafe conditions existing from the metal divider on the floor near the appliance department which caused the Plaintiff to trip and fall.

17. That the fall and resultant injuries of Plaintiff were caused by the negligence of the aforesaid Defendant who failed to utilize reasonable care in the maintenance of said premises.

18. That the aforesaid breach by the Defendant in not maintaining the subject metal divider on the floor and also in not inspecting, maintaining and making sure the metal divider was secured to the floor and as a result of the acts of negligence on the part of the Defendant was the proximate cause of the injuries sustained by the Plaintiff.

19. That as a direct and proximate result of the above described breach, the Defendant breached its duty to the Plaintiff which caused the Plaintiff, JANET HALL, to fall causing her to received serious, significant and permanent personal injuries to her body which caused, among other injuries, including, but not limited to, reinjury to her arm and extremities, aggravation of a pre-existing and/or latent conditions and other injuries not yet diagnosed, suffered physical and mental pain therefrom; all of which are continuing or permanent in their nature.

20. That as a direct and proximate result of the breach of the duty owed to the Plaintiff by the Defendant the Plaintiff, JANET HALL, has in the past and will in the future suffer and incur the following damages: cost and expense of medical care, attention and treatment, and the cost of travel necessary to secure said medical care; physical handicap and disability in connection with her usual activities and recreations; the inability to lead a normal life; physical and mental pain and suffering. The Plaintiff,

JANET HALL, was injured in and about her body, has incurred a disability, disfigurement, pain and suffering, mental anguish, loss of capacity for the enjoyment of life, medical and nursing care and treatment. The losses are either permanent or continuing and Plaintiff will suffer the losses in the future.

WHEREFORE, Plaintiff, JANET HALL, demands judgment for damages according to law against Defendant, BEST BUY STORES, L.P., in an amount in excess of Fifteen Thousand (\$15,000.00) Dollars, together with her interest and costs and for any other and further relief this Court deems just and proper.

PLAINTIFF DEMANDS TRIAL BY JURY ON ALL ISSUES SO TRIABLE.

Date: 3/28/19

Respectfully submitted,

  
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