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

TIFFANY JACKSON as Natural Parent
and Guardian of CH'RIYA BANKS (a minor),

CASE NO:

Plaintiff,

v.

THE SCHOOL BOARD OF PALM BEACH COUNTY,
a political subdivision of the State of Florida,

Defendant.

_____ /

COMPLAINT

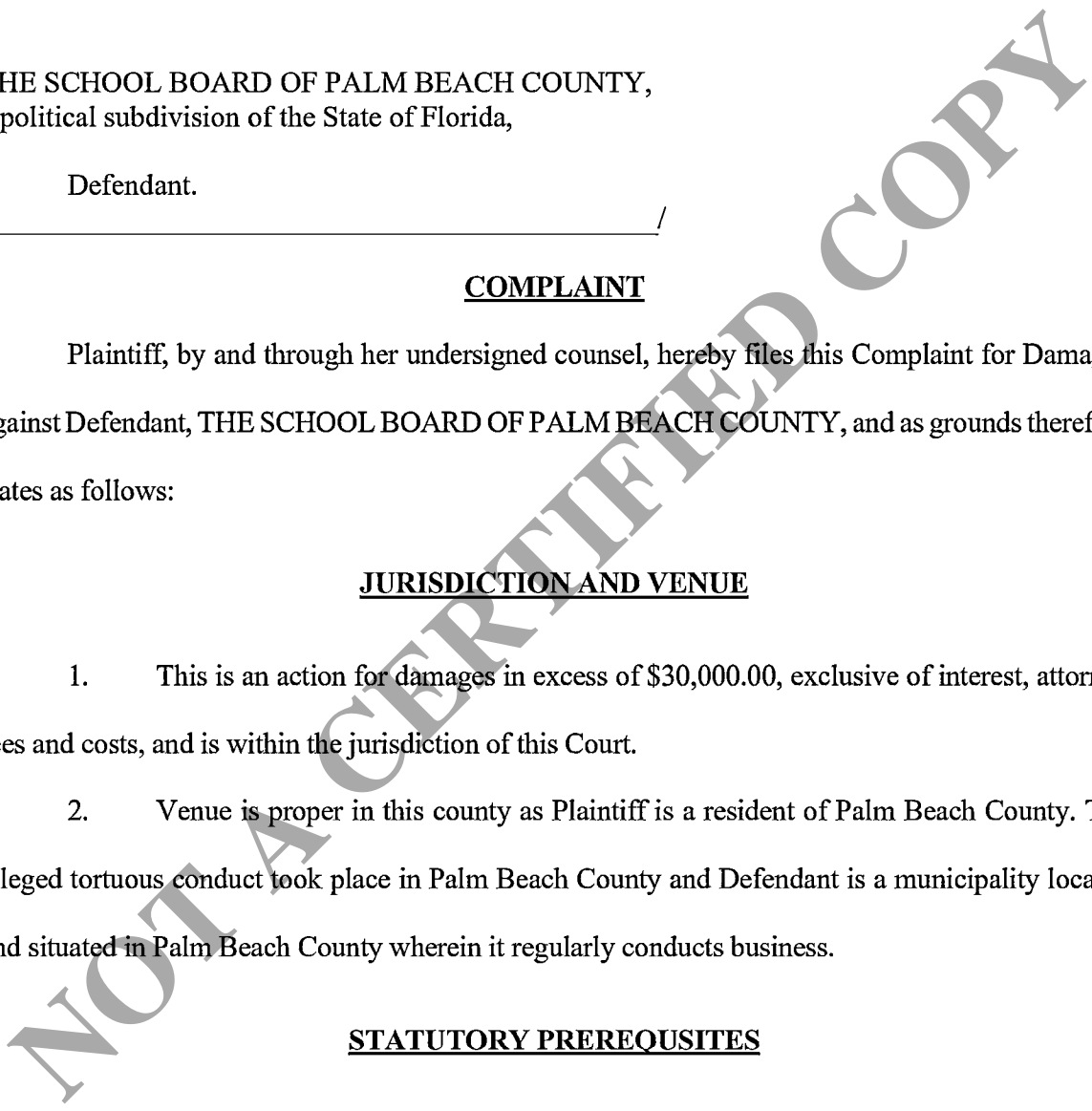
Plaintiff, by and through her undersigned counsel, hereby files this Complaint for Damages against Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, and as grounds therefore states as follows:

JURISDICTION AND VENUE

1. This is an action for damages in excess of \$30,000.00, exclusive of interest, attorney fees and costs, and is within the jurisdiction of this Court.
2. Venue is proper in this county as Plaintiff is a resident of Palm Beach County. The alleged tortuous conduct took place in Palm Beach County and Defendant is a municipality located and situated in Palm Beach County wherein it regularly conducts business.

STATUTORY PREREQUISITES

3. At all times material hereto and at the time of the incident complained of the Defendant was a political subdivision of the State of Florida. Pursuant to Fl. Stat. 768.28(6)(a), notice of this claim has been given to THE SCHOOL BOARD OF PALM BEACH COUNTY. In addition, the Department of Financial Services was also served with a copy of the notice of this claim. A copy



of said notice of claim along with the return receipts are attached hereto as composite exhibit "A".

4. The Plaintiff complied with all conditions precedent or necessary to bring this action against the Defendant.

CASE FACTS

5. At all times material and relevant hereto, the Plaintiff was a properly enrolled student at **Palm Beach Gardens Community High School** in Palm Beach Gardens, Florida located at 4245 Holly Drive, Palm Beach Gardens, FL 33410.

6. At all times material hereto, the Defendant owned, controlled, operated, occupied and/or managed said premises and was responsible for the safety, supervision, security, protocols, and welfare of its students.

NEGLIGENCE AGAINST DEFENDANT THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

7. Plaintiff re-alleges the allegations contained in Paragraphs (1) through (6) above as if set forth fully herein.

8. On or about October/November 2019, THE SCHOOL DISTRICT OF PALM BEACH COUNTY, was in custody and control of the Plaintiff minor child. The School District and its representatives were entrusted with the care of Plaintiff and were charged with the legal duty to properly supervise student activity on school property.

9. The Defendant, THE SCHOOL DISTRICT OF PALM BEACH COUNTY, and at all relevant times owed Plaintiff a duty to safeguard her from harm by supervising her and other classmates at all times.

10. In addition, the Defendant, THE SCHOOL DISTRICT OF PALM BEACH COUNTY, had a duty to investigate complaints about bullying and to provide a reasonably safe

environment for students to attend school.

11. In October and November 2019, Plaintiff was attacked and severely beaten up at school by other students – one of the times which was horrifically caught on video.

12. Prior to October/November 2019, Plaintiff's Mother and Grandmother had complained to the Defendant, THE SCHOOL DISTRICT OF PALM BEACH COUNTY's representatives including the principal, Dr. Don Hoffman, that Plaintiff was being bullied prior to the attack. They made multiple complaints to the Defendant, THE SCHOOL DISTRICT OF PALM BEACH COUNTY, that the Plaintiff minor child was being bullied by other students and was concerned about his safety. In fact, the Mother and Grandmother were told that there was gang activity at the school who were the responsible parties.

13. The Defendant, THE SCHOOL DISTRICT OF PALM BEACH COUNTY, was negligent, including but not limited to the following:

- a. Failing to investigate complaints to the Defendant that the minor child was being bullied and threatened;
- b. Failing to provide a safe school environment for the Plaintiff;
- c. Failing to take the appropriate precautions and removing Plaintiff from an unsafe environment;
- d. Failing to provide supervision and assistance to prevent the harm to Plaintiff;
- e. Failing to have adequate security protections on the premises during the attack; and
- f. Failing to have or follow its own proper supervision and security protocol;
- g. Failing to remedy gang behavior and discipline responsible parties after having actual and constructive knowledge of incidents.

14. The Defendant, THE SCHOOL DISTRICT OF PALM BEACH COUNTY, knew by the prior warnings and the excessive amount of fighting and gang activity at the school, or in

the exercise of reasonable care, should have known the existence of such unsafe conditions and situations.

15. As a direct and proximate result of Defendant's negligence, Plaintiff suffered serious bodily injury and resulting pain and suffering, disability, disfigurement, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, mental anguish, aggravation/exacerbation of a previously existing condition; and predisposition to further injury. The losses are either permanent or continuing in nature and Plaintiff will suffer these losses in the future.

WHEREFORE, Plaintiff, demands judgment for damages against Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, for damages in excess of \$30,000.00, to be ascertained at the time of trial of this cause, together with costs, pre-judgment interest for paid unreimbursed expenses, and any other and further relief as this Honorable Court may deem just and proper.

DEMAND FOR JURY TRIAL

Plaintiff, hereby further demands trial by a jury on all issues triable as a matter of right by jury

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