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

RENEE ARENAS,

Plaintiff,

vs.

Case No:

OCEAN ONE GRILL FL, a Florida limited
liability company d/b/a OCEAN ONE BAR
AND GRILLE,

Defendant.

_____ /

COMPLAINT

Plaintiff, RENEE ARENAS, sues Defendant, OCEAN ONE GRILL FL, a Florida limited liability company d/b/a OCEAN ONE BAR AND GRILLE (hereinafter "OCEAN ONE BAR AND GRILLE"), and states the following:

1. This is a cause of action for damages in excess of \$30,000.00.
2. All conditions precedent to filing this action have been complied with, expired, and/or waived.
3. The incident described herein occurred in Palm Beach County, Florida.
4. On or about April 13, 2019, Defendant, OCEAN ONE BAR AND GRILLE, was in possession and control of the premises located at 777 E Atlantic Avenue in Delray Beach, Palm Beach County, Florida, which Defendant operates as a restaurant.
5. At that time and place, Plaintiff, RENEE ARENAS, was a business invitee lawfully on the premises described above.
6. At that time and place, Plaintiff, RENEE ARENAS, was injured when an employee of Defendant, OCEAN ONE BAR AND GRILLE, failed to use due care while carrying an industrial outdoor umbrella and negligently hit the person of Plaintiff with the industrial outdoor umbrella.

7. At all times material herein, the OCEAN ONE BAR AND GRILL employee described herein was acting in the course and scope of the employee's employment with Defendant, OCEAN ONE BAR AND GRILL. Accordingly, Defendant, OCEAN ONE BAR AND GRILL, is vicariously liable for its employee's negligence.

8. At all times material herein, the OCEAN ONE BAR AND GRILL employee and Defendant, OCEAN ONE BAR AND GRILL, had a duty to use reasonable care, protect the safety of its invitees, and warn invitees of any dangerous conditions of which it knew or should have known. The OCEAN ONE BAR AND GRILL employee and Defendant, OCEAN ONE BAR AND GRILL, breached all of these duties.

9. Specifically, the OCEAN ONE BAR AND GRILL employee, and Defendant, OCEAN ONE BAR AND GRILL, negligently:

- a) Failed to make the premises safe for invitees;
- b) Failed to take necessary precautions while carrying an industrial outdoor umbrella;
- c) Failed to carry an industrial outdoor umbrella in a safe and prudent manner;
- d) Failed to use reasonable care while carrying an industrial outdoor umbrella;
- e) Failed to use reasonable care while carrying an industrial outdoor umbrella near restaurant invitees;
- f) Failed to maintain a proper lookout for restaurant invitees while carrying an industrial outdoor umbrella;
- g) Failed to use reasonable care when hitting the Plaintiff with an industrial outdoor umbrella;
- h) Caused an industrial outdoor umbrella to hit the Plaintiff; and
- i) Failed to warn the Plaintiff and similarly situated individuals of the dangerous condition.

10. Defendant, OCEAN ONE BAR AND GRILLE, knew or, in the exercise of ordinary care, should have known the premises were not in a reasonably safe condition.

11. Defendant, OCEAN ONE BAR AND GRILLE, had actual or constructive notice of the dangerous condition.

12. As the direct and proximate result of the negligence of Defendant, OCEAN ONE BAR AND GRILLE, Plaintiff, RENEE ARENAS, suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, and aggravation of a previously existing condition. The losses are either permanent or continuing and Plaintiff will suffer the losses in the future.

WHEREFORE, Plaintiff, RENEE ARENAS, demands judgment for damages against Defendant, OCEAN ONE BAR AND GRILLE.

Plaintiff demands trial by jury on all issues so triable.

Respectfully submitted this 26th day of February 2021.

By: s/ Jason Dollard

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