

Filing # 128906692 E-Filed 06/16/2021 05:04:23 PM

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA  
CIVIL DIVISION

IRENE DiEDWARDO,

CASE NO.:

Plaintiff,

vs.

BLOOMIN' BRANDS, INC., d/b/a  
BONEFISH GRILL,

Defendant.

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

The Plaintiff, IRENE DiEDWARDO, by and through her undersigned counsel and sues the Defendant, BLOOMIN' BRANDS, INC., d/b/a BONEFISH GRILL, and states:

**GENERAL ALLEGATIONS AS TO ALL COUNTS**

1. This is an action for damages that exceeds Thirty Thousand Dollars (\$30,000.00), exclusive of interest and court costs.

2. At all times material hereto and at the time of the incident complained of, the Plaintiff, IRENE DiEDWARDO ("Plaintiff"), was a resident of Palm Beach County, Florida, and was otherwise *sui juris*.

3. At all times material hereto and at the time of the incident complained of, the Defendant, BLOOMIN' BRANDS, INC., d/b/a BONEFISH GRILL ("Defendant"), was a corporation authorized to do business in the State of Florida and was so doing.

4. At all times material hereto, and at the time of the incident complained of, Defendant owned, maintained, controlled, and operated Bonefish Grill located at 21065 Powerline Road, in Boca Raton, Palm Beach County, Florida, 33433 (hereinafter "subject restaurant and/or Bonefish").

5. On or around January 23, 2021, Plaintiff was a business invitee and/or patron of Bonefish and was lawfully on the premises, for the purpose of dining when she slipped and fell on a liquid substance that remained on the floor for a sufficient amount of time (hereinafter “subject incident”).

6. As a result of the subject incident, Plaintiff was seriously injured as more fully set forth herein.

**COUNT I**  
**PLAINTIFF’S NEGLIGENCE CLAIM AGAINST BLOOMIN<sup>®</sup> BRANDS, INC.**

The Plaintiff realleges and reavers the allegations contained in paragraphs 1 through 6, as though fully set forth herein, and further states as follows:

7. On the date of the subject incident, Defendant, by and through its agents, employees and/or representatives, had a duty to its business invitees, and the Plaintiff, to maintain and keep the subject restaurant in a reasonably safe condition.

8. On the date of the subject incident, Defendant breached their duty of care in one or more of the following ways:

a. by negligently allowing the liquid substance to remain on the floor of the subject restaurant for a sufficient length of time, thereby creating a dangerous and hazardous condition;

b. by failing to detect and/or remove the liquid substance that accumulated on the floor of the subject restaurant, even though Defendant knew, or in the exercise of reasonable care, should have known, that the liquid substance accumulated on the floor;

c. by failing to provide adequate warnings in writing and/or other reasonable notice of the unsafe premises that existed in the subject restaurant, which created dangerous and hazardous conditions to Defendant’s patrons, including but not limited to the Plaintiff;

d. by failing to properly maintain and inspect the premises and/or the subject restaurant; and

e. by having an improper flooring surface that became excessively slippery when wet, resulting in a dangerous and hazardous condition.

9. Liquid substances accumulated on the floor for a continuous and ongoing time frame, placed the Defendant on constructive notice of a dangerous and hazardous conditions that existed on the date of the subject incident.

10. As a direct and proximate cause of the Defendant's negligence, Plaintiff suffered serious and permanent bodily injuries and damages, resulting pain therefrom, pain and suffering, exacerbation of a pre-existing injury, mental anguish, past, present, and future medical expenses, loss of earning capacity, past, present and future, loss of capacity for the enjoyment of life, scarring, and disfigurement. These injuries are either permanent or continuing in nature and the Plaintiff will suffer these losses in the future.

WHEREFORE, the Plaintiff, IRENE DiEDWARDO, demands judgment against the Defendant, BLOOMIN' BRANDS, INC., d/b/a BONEFISH GRILL, in an amount in excess of Thirty Thousand (\$30,000.00) Dollars, exclusive of interest and costs, which are prayed for in addition thereto. The Plaintiff further demands a trial by jury of all issues so triable by right.

DATED this 16<sup>th</sup> day of June, 2021.

**LONG, JEAN & WECHSLER, P.A.**

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