

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

CASE NO.

DIANE E. ANACABE, as Personal
Representative of the Estate of
JOHN ALLEN FLETCHER, Deceased,

Plaintiff,

v.

JETBLUE AIRWAYS CORPORATION,
A Foreign Corporation and ABM AVIATION, INC.,
A Foreign Corporation,

Defendants.

COMPLAINT FOR WRONGFUL DEATH RESULTING FROM GROSS NEGLIGENCE

The Plaintiff, Diane E. Anacabe, as Personal Representative of the Estate of John Allen Fletcher, Deceased, sues the Defendants, JetBlue Airways Corporation and ABM Aviation, Inc., and for her Complaint for Wrongful Death against said Defendants, states as follows:

GENERAL & JURISDICTIONAL ALLEGATIONS

1. This is an action for damages in excess of \$50,000.00 (Fifty Thousand Dollars), exclusive of attorneys' fees, interest and costs, and plaintiff hereby demand a trial by jury; accordingly, although, to file this complaint, undersigned counsel is being required by order of the Supreme Court of Florida to contemporaneously complete a civil cover sheet with a dollar figure as an estimated amount of claim for data collection and clerical processing purposes only, the full monetary value of the damages suffered by plaintiff(s) is yet to be determined and will be decided in a verdict by the jury that judges the facts of this action in compliance with Article I, Section 21, Florida Constitution.

2. This is an action for wrongful death pursuant to Sections 768.16–768.26, Florida Statutes for the death of John Allen Fletcher, the Decedent.

3. The Plaintiff, Diane E. Anacabe, is the duly appointed Personal Representative of the Estate of Mr. Fletcher, having been issued Letters of Administration over said Estate, a copy of which is attached hereto as Exhibit A.

4. The Defendant, JetBlue Airways Corporation, (hereinafter referred to as “JetBlue”) is a foreign corporation which, at all times material, had offices for the transaction of business in Palm Beach County, Florida, and was in fact conducting business in Palm Beach County.

5. The Defendant, ABM Aviation, Inc., (hereinafter referred to as “ABM”) is a foreign corporation which, at all times material, had offices for the transaction of business in Palm Beach County, Florida, and was in fact conducting business in Palm Beach County.

6. This action arises out of the death of Mr. Fletcher on May 5, 2025.

7. The venue is proper in Palm Beach County as the cause of action occurred in Palm Beach County, Florida.

8. All conditions precedent to bringing this action have been performed, were waived, or have otherwise been satisfied.

FACTS COMMON TO ALL COUNTS

9. On April 22, 2025, Mr. Fletcher boarded JetBlue Flight 321 in Boston, Massachusetts, as a paying passenger of JetBlue on its flight to Palm Beach International Airport (“PBI”) in West Palm Beach, Florida.

10. At the time Mr. Fletcher boarded JetBlue Flight 321, Mr. Fletcher was in good health, exhibited no signs of acute distress, and was fully capable of performing all physical

activities associated with his travel plans. He walked onto the aircraft without difficulty and did not require, request, or receive any form of additional assistance.

11. Mr. Fletcher boarded the flight and took his assigned seat in the “Premium” seating section, seat number 2F. This seat is in a position to be easily observed by JetBlue’s flight attendants and other crew members onboard Flight 321.

12. Mr. Fletcher purchased JetBlue’s “Evenmore®” ticket expecting “More space. More speed. More service.” as advertised by the company.

13. The flight from Boston to West Palm Beach proceeded without incident.

14. After Flight 321 landed and rolled to a stop at the gate, Mr. Fletcher rose from his seat to deplane. In that moment, he was struck by a major stroke and collapsed back into his seat, suddenly unable to stand.

15. At that time upon reaching the gate, Mr. Fletcher’s speech was garbled, and he attempted to get the attention of other passengers in his vicinity, without avail.

16. Unable to stand without assistance and unable to get the attention of the flight attendants or other crew members, Mr. Fletcher remained in his seat while the other passengers were deplaning.

17. As he was visibly in distress at that time, another passenger asked Mr. Fletcher if he was okay, to which he responded in the negative.

18. That other passenger informed Mr. Fletcher that he would advise the flight crew and that passenger approached a crew member and spoke with them.

19. As the other passengers were deplaning and Mr. Fletcher was unable to rise, he remained slumped over onto the next seat in visible distress.

20. As all the other passengers deplaned, Mr. Fletcher was physically unable to rise and remove himself from the aircraft and remained sprawled across the seats in row 2 in full view of JetBlue's crew.

**COUNT I—WRONGFUL DEATH AGAINST
JETBLUE AIRWAYS CORPORATION BY GROSS NEGLIGENCE**

21. This is a count for wrongful death against the Defendant, JetBlue resulting from JetBlue's gross negligence of its employees.

22. The Plaintiff adopts and incorporates paragraphs 1-20 above, as if set forth at length herein.

23. During the flight from Boston to West Palm Beach, and during the landing process and taxiing to the gate, the Defendant, JetBlue, owed Mr. Fletcher a common law duty of reasonable care.

24. JetBlue owed to Mr. Fletcher the highest duty of care by virtue of its status as a common carrier. JetBlue's duties arise not only from common law/common carrier status but also from applicable federal regulations and JetBlue's internal policies adopted pursuant to those regulations.

25. Defendant JetBlue also owed Mr. Fletcher a duty to render aid and assistance following his medical emergency, which duty arose by virtue of the special relationship between JetBlue and Mr. Fletcher, who was powerless to address his own medical needs by virtue of the circumstances of being trapped onboard the aircraft and unable to walk or effectively communicate.

26. As all of the other passengers exited the aircraft, Mr. Fletcher remained immobilized in his seat unable to speak clearly, his balance impaired, his vision affected, and otherwise exhibiting the classic signs of a stroke.

27. At that time and place, it was obvious to Defendant JetBlue's employees that Mr. Fletcher was in acute medical distress.

28. Slumped across all the seats in row 2 at the front of the aircraft, Mr. Fletcher was clearly in the vision field of JetBlue's flight attendants and other crew members, exhibiting the classic symptoms of a stroke that are common knowledge among lay people, and clearly within the training and experience of airline flight crews, known by the acronym "BEFAST," summarized as follows:

B - Balance: Watch for sudden loss of balance
E - Eyes: Check for vision loss
F - Face: Look for an uneven smile
A - Arms : Check if one arm is weak
S - Speech: Listen for slurred speech
T - Time: Call 911 right away if any of these symptoms occur

29. At all times material BEFAST (or stroke recognition protocols) were or should have been included in Defendant's training of its flight crew and personnel and in addition is also widely disseminated in public health campaigns, reinforcing that recognition of stroke symptoms is within the ordinary knowledge of trained airline and airport personnel.

30. Notwithstanding the obvious existence of a medical emergency, JetBlue made no effort whatsoever to obtain medical attention for Mr. Fletcher.

31. Although Mr. Fletcher was wearing a Medi-Alert medallion with the name of his daughter Diane, the Personal Representative herein, JetBlue made no effort to contact her or any other family members.

32. Instead of contacting emergency medical personnel or Mr. Fletcher's family members, JetBlue placed a request for a non-emergency wheelchair attendant to come to the gate.

33. JetBlue's purpose in summoning a wheelchair was not to provide needed medical attention to Mr. Fletcher, but merely to haul Mr. Fletcher off of the airplane to be rid of him, allowing JetBlue's crew to go on about their business uncaringly.

34. Rather than notifying emergency services of the need for medical personnel to attend to Mr. Fletcher, he was simply dumped into a wheelchair, removed from the aircraft and taken to the baggage retrieval area of PBI.

35. More than one hour elapsed between the time Flight 321 arrived at the gate and the time emergency medical personnel first evaluated Mr. Fletcher," and that during this entire period he remained symptomatic.

36. At all times material, emergency medical services were readily available at PBI and could have been summoned within minutes by a simple radio call or 911 call," to sharpen the foreseeability and ease-of-rescue narrative.

37. JetBlue's acts and omissions were grossly negligent in that JetBlue's personnel—acting within the course and scope of their employment—exhibited deliberate indifference to the health and safety of Mr. Fletcher and a conscious disregard for the consequences of their action and inaction.

38. JetBlue failed to direct the wheelchair attendant who responded to the situation to alert emergency medical personnel and failed to request that the attendant deliver Mr. Fletcher to a location where he could be provided with emergency, lifesaving services.

39. JetBlue's outrageous disregard for Mr. Fletcher's health and safety amounted to violations of JetBlue's own internal policy which established the minimum standard of care for its flight crews in emergency situations.

40. Such policies and training were in place “before April 22, 2025,” that JetBlue represented to the public that it prioritized passenger safety, and that its employees’ conduct was in conscious disregard of those policies.

41. JetBlue’s conscious disregard for Mr. Fletcher’s health and safety made a mockery of its own “core safety policy” which purportedly prioritizes the well-being of passengers and crew through a layered approach, focusing on robust crew training, promoting a strong safety culture known as “Safety From The Ground Up,” and comprehensive training for all staff.

42. Rather than address Mr. Fletcher’s critical health needs, JetBlue treated him more like an inconvenient obstacle to its operations and only took action to rid itself of his presence on the aircraft without regard for his safety and life.

43. Decedent’s daughter Diane, who was scheduled to meet her father at the airport, eventually saw him slumped down into the wheelchair, having been essentially abandoned in the baggage area by the wheelchair attendant JetBlue had summoned.

44. Upon observing her father’s acute and serious medical condition, the Plaintiff could see that he obviously was suffering a severe stroke and required emergency medical intervention, so she summoned emergency services.

45. Finally, approximately one hour or more after Flight 321 landed, emergency medical personnel arrived to place Mr. Fletcher on a stretcher, transporting him to Saint Mary’s hospital for emergency treatment.

46. Notwithstanding the best professional efforts at the hospital, Mr. Fletcher lingered terminally ill for 13 days and eventually died from the stroke he had suffered on JetBlue’s aircraft.

47. In the exercise of reasonable care, Defendant JetBlue should have immediately contacted emergency medical personnel and arranged for Mr. Fletcher’s medical treatment.

48. Defendant JetBlue through its flight attendants and other employees, was grossly negligent in failing to discern that Mr. Fletcher had suffered a life-threatening medical emergency upon landing at PBI and was grossly negligent in failing to summon emergency medical aide to treat him when it became apparent that he could not exit the airplane on his own.

49. As a direct and proximate result of JetBlue's willful disregard for his health, safety and life, Mr. Fletcher lingered in the hospital for 13 days and eventually died as a result of the stroke.

50. Defendant JetBlue is liable to the Plaintiff for the damages enumerated in paragraphs 78-89, below.

**COUNT II—WRONGFUL DEATH BY GROSS
NEGLIGENCE OF ABM AVIATION, INC.**

51. This is a count for wrongful death as a result of the gross negligence of the Defendant, ABM Aviation, Inc.

52. The Plaintiff adopts and incorporates paragraphs 1-20 above, as if set forth at length herein.

53. At the time and place where the subject flight landed at Palm Beach International Airport, the Defendant, ABM owed Mr. Fletcher a common law duty of care.

54. Defendant ABM also owed Mr. Fletcher a duty of care by having voluntarily undertaken to transport him by wheelchair off of the subject aircraft.

55. The Defendant, ABM, also owed Mr. Fletcher the highest duty of care, having contractually undertaken to provide wheelchair and mobility assistance to passengers, including those with known or obvious medical conditions, and that Mr. Fletcher was an intended third-party beneficiary of that contract.

56. As Mr. Fletcher was unable to disembark the subject aircraft under his own power, Defendant ABM dispatched a representative with a wheelchair to assist Mr. Fletcher in exiting the aircraft.

57. When the wheelchair arrived at the aircraft, ABM's employee delivering that chair approached Mr. Fletcher and loaded him into the wheelchair.

58. At that time and place, ABM's employee could see that Mr. Fletcher was in visible distress, and exhibiting symptoms of a stroke.

59. Defendant ABM's employee knew or should have known that Mr. Fletcher was suffering from a dire medical emergency that required immediate medical intervention.

60. Slumped across all the seats in row 2 at the front of the aircraft, Mr. Fletcher was clearly in the vision field of ABM's wheelchair attendant, exhibiting the classic symptoms of a stroke that are common knowledge among lay people, known by the acronym "BEFAST," summarized as follows:

B - Balance: Watch for sudden loss of balance
E - Eyes: Check for vision loss
F - Face: Look for an uneven smile
A -Arms : Check if one arm is weak
S - Speech: Listen for slurred speech
T - Time: Call 911 right away if any of these symptoms occur

61. At all times material BEFAST (or stroke recognition protocols) were or should have been included in Defendant's training of its personnel and in addition is also widely disseminated in public health campaigns, reinforcing that recognition of stroke symptoms is within the ordinary knowledge of trained airline and airport personnel.

62. Notwithstanding the obvious existence of a medical emergency, ABM made no effort whatsoever to obtain medical attention for Mr. Fletcher.

63. Although Mr. Fletcher was wearing a Medi-Alert medallion with the name of his daughter Diane, the Personal Representative herein, ABM made no effort to contact her or any other family members.

64. Instead of contacting emergency medical personnel or Mr. Fletcher's family members, ABM merely hauled Mr. Fletcher to the baggage claim area.

65. Rather than ABM notifying emergency services of the need for medical personnel to attend to Mr. Fletcher, he was simply loaded onto a wheelchair, removed from the aircraft and taken to the baggage retrieval area of PBI and left to fend for himself, even though he was in no condition to do so.

66. ABM's acts and omissions were grossly negligent in that ABM's employee—acting within the course and scope of their employment—exhibited deliberate indifference to the health and safety of Mr. Fletcher and a conscious disregard for the consequences of their action and inaction.

67. ABM's wheelchair attendant who responded to the situation failed to alert emergency medical personnel and failed to deliver Mr. Fletcher to a location where he could be provided with emergency, lifesaving services.

68. Instead of delivering Mr. Fletcher to emergency medical personnel, and instead of summoning such emergency medical personnel, ABM's employee simply proceeded with him in the wheelchair to the baggage claim area.

69. Decedent's daughter Diane, who was scheduled to meet her father at the airport, eventually saw him slumped down into the wheelchair, having been essentially abandoned in the baggage area by the wheelchair attendant.

70. Upon finally locating her father slumped in the wheelchair in the baggage claim area, the Plaintiff immediately recognized the severity of the medical situation and requested ABM's employee to call 911 and summon emergency medical assistance.

71. However, instead of taking action to possibly save Mr. Fletcher's life, ABM's employee adamantly refused Plaintiff's request to call 911, advising her that "we're not allowed to do that."

72. Upon observing her father's acute and serious medical condition, the Plaintiff could see that he obviously was suffering a severe stroke and required emergency medical intervention, so she summoned emergency services.

73. Finally, approximately one hour or more after Flight 321 landed, emergency medical personnel arrived to place Mr. Fletcher on a stretcher, transporting him to Saint Mary's Hospital for emergency treatment.

74. Notwithstanding the best professional efforts at the hospital, Mr. Fletcher lingered terminally ill for 13 days and eventually died from the stroke he had suffered on JetBlue's aircraft.

75. Defendant ABM was grossly negligent in failing to discern that Mr. Fletcher had suffered a life-threatening medical emergency upon landing at PBI and was grossly negligent in failing to summon emergency medical aid to treat him when it became apparent that he could not stand and walk on his own.

76. As a direct and proximate result of ABM's gross negligence, Mr. Fletcher lingered in the hospital for 13 days and eventually died as a result of the stroke.

77. As a result of the wrongful death of Mr. Fletcher, the Plaintiff is entitled to recover the damages described in paragraphs 83-89 of this Complaint.

**COUNT III—WRONGFUL DEATH AGAINST
JETBLUE UNDER AGENCY THEORY**

78. This is a count for wrongful death against the Defendant, JetBlue, based upon JetBlue's vicarious liability for its agent, ABM.

79. The Plaintiff adopts and incorporates paragraph 1-20 above, and all of Count II, as if set forth at length herein.

80. At the time and place of Mr. Fletcher's medical emergency, Defendant ABM was acting in its capacity as the actual agent of JetBlue charged with the responsibility of removing Mr. Fletcher from the subject aircraft and taking such action as would be necessary and appropriate thereafter.

81. Defendant ABM having acted grossly negligently within the course and scope of its agency on behalf of JetBlue, renders Defendant JetBlue vicariously liable for ABM's grossly negligence.

82. JetBlue owed Mr. Fletcher a nondelegable duty to exercise the highest degree of care in safeguarding his health and safety as a passenger, such that JetBlue remains liable for the negligence and gross negligence of ABM regardless of any independent contractor characterization for the damages enumerated in paragraphs 83-89, below.

WRONGFUL DEATH DAMAGES

83. At the time of his death, Mr. Fletcher was survived by his four adult daughters: Diane Ellen Anacabe, Pamela Lee Ellis, Deborah Ann Collins, and Donna Marie Sanderson.

84. Those four daughters of Mr. Fletcher are "Survivors" within the meaning of Florida Wrongful Death Act: Section 768.18(1), Fla. Stat.

85. During his lifetime and up to the time of his injury and death, Mr. Fletcher maintained a close, loving, and supportive relationship with each of his four daughters. He regularly communicated with them, provided them with emotional support, advice, guidance, and

parental companionship, and they relied upon him for ongoing love, affection, and familial support.

86. As a result of Mr. Fletcher's wrongful death, each of his daughters has suffered and will continue to suffer the loss of his parental companionship, instruction, and guidance, as well as significant mental pain and suffering from the date of injury, within the meaning of Section 768.21, Florida Statutes.

87. As survivors, Mr. Fletcher's daughters are entitled to recover the value of lost support and services from the date of Decedent's injury to his death, and future loss of support and services from the date of death, reduced to present value, pursuant to Section 768.21, Florida Statutes.

88. Further, all of Mr. Fletcher's adult daughters, as Survivors under Florida's Wrongful Death Act, "may also recover for lost parental companionship, instruction, and guidance and for mental pain and suffering from the date of injury," pursuant to Section 768.21(3), Fla. Stat.

89. The Plaintiff Personal Representative may also recover for Mr. Fletcher's estate all medical or funeral expenses due to Mr. Fletcher's injury or death that have become a charge against his estate or that were paid by on behalf of Decedent pursuant to Section 768.21(6)(b), Fla. Stat.

DEMAND FOR JURY TRIAL

The Plaintiff demands trial by jury on all issues.

WHEREFORE, the Plaintiff prays for entry of judgment in her favor against the Defendants JetBlue and ABM, following trial by jury; for an award of her costs herein expended; and for all other relief to which she is entitled.

RESPECTFULLY SUBMITTED, this 5th day of January, 2026.

/s/ Roy D. Wasson

/s/ Stuart Goldenberg

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NOT A CERTIFIED COPY

Exhibit A

IN THE CIRCUIT COURT FOR PALM BEACH COUNTY,
FLORIDA PROBATE DIVISION

File No. 50-2025-CP-003767-XXXA-NB

IN RE: ESTATE OF

JOHN ALLEN FLETCHER,

Deceased.

LETTERS OF ADMINISTRATION (single personal representative)

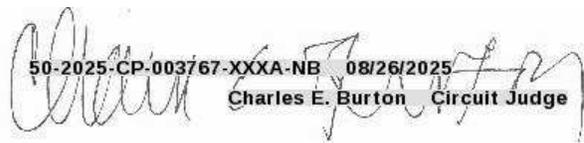
TO ALL WHOM IT MAY CONCERN:

WHEREAS, JOHN ALLEN FLETCHER, a resident of Palm Beach, died on May 5, 2025, owning assets in the State of Florida, and

WHEREAS, DIANE E. ANACABE has been appointed personal representative of the estate of the decedent and has performed all acts prerequisite to issuance of Letters of Administration in the estate,

NOW, THEREFORE, I, the undersigned circuit judge, declare DIANE E. ANACABE duly qualified under the laws of the State of Florida to act as personal representative of the estate of JOHN ALLEN FLETCHER, deceased, with full power to administer the estate according to law; to ask, demand, sue for, recover and receive the property of the decedent; to pay the debts of the decedent as far as the assets of the estate will permit and the law directs; and to make distribution of the estate according to law.

DONE and ORDERED at Palm Beach County, Florida.


50-2025-CP-003767-XXXA-NB 08/26/2025
Charles E. Burton Circuit Judge

50-2025-CP-003767-XXXA-NB 08/26/2025
Charles E. Burton
Circuit Judge

**This estate shall be closed within 12
months of this order, pursuant to Florida
Probate Rule 5.400.**