

**IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR MIAMI-DADE COUNTY, FLORIDA**

GENERAL JURISDICTION DIVISION
Case No.:

JOSE PEREZ,

Plaintiff,

v.

**TRIAL BY JURY
DEMANDED**

MUNILLA CONSTRUCTION MANAGEMENT, LLC

Defendant.

_____ /

COMPLAINT

COMES NOW, the Plaintiff, JOSE PEREZ, by and through the undersigned counsel, and sues the Defendant, MUNILLA CONSTRUCTION MANAGEMENT LLC, a Florida Limited Liability Corporation, and in support thereof alleges:

1. This is an action for damages in excess of Fifteen Thousand and 00/100 dollars (\$15,000.00), exclusive of attorney's fees and costs.
2. At all times material hereto, Plaintiff PEREZ was a resident of Broward County, Florida and is, in all other respects, *sui juris*.
3. That at all times material hereto, Defendant, MUNILLA CONSTRUCTION MANAGEMENT LLC, was and is a Florida Corporation organized and existing under the laws of the state of Florida, and doing business in Miami-Dade County, Florida.

4. Venue for this action is proper as the Defendant's principal place of business is 6201 SW 70th Street, Second Floor, Miami-Dade County, Florida, 33143.
5. That on October 20, 2016 Plaintiff was lawfully upon the premises located at Terminal 4 Concourse G at Fort Lauderdale International Airport.
6. That on said date at the aforementioned location at approximately 6:20 am, while exercising due care and caution for his safety, Plaintiff was on his way to the restroom and was caused to fall, as he stepped on the make-shift bridge which was implemented by the Defendant and/or its employees and/or agents. More specifically, the bridge broke under the weight of the Plaintiff, causing him to slip forward, fall to the floor, striking his elbow, shoulder, knees, back, and wrists.
7. At all times material hereto, the Defendant and/or its employees and/or agents owed to the Plaintiff a duty of reasonable care to maintain the work areas in a condition reasonably safe for their intended uses and free from all conditions which would render them dangerous and unsafe for the Plaintiff, or present an unreasonable risk of harm to him, in his lawful use of the same.
8. That it was the duty of the Defendant to warn Plaintiff of aforesaid dangerous and said condition.
9. The Defendant, by and through its employees, servants, and/or agents breached its duty of care to the Plaintiff, by committing one or more of the following negligent acts of commission and/or omission which proximately caused injury to the Plaintiff as hereinafter alleged more fully:

- a. The Defendant failed to properly maintain and examine the make-shift bridge walkway to make sure they were safe and strong enough to support the weight of an adult, and improperly allowed it to deteriorate to the point of total failure.
 - b. The Defendant employed incompetent, inexperienced, unskilled, or careless employees and/or failed to exercise proper supervision of said employees in maintaining the said area in proper, safe conditions for the lawfully present airport employees, thereby causing serious injuries to Plaintiff, JOSE PEREZ, as herein alleged or in the alternative;
 - c. The Defendant should have exercised reasonable care in the maintenance of the work area;
 - d. The Defendant failed to warn the Plaintiff of the dangerous condition;
 - e. The Defendant allowed the condition to exist for a length of time sufficient in which a reasonable inspection would have disclosed the dangerous condition;
 - f. The above-described dangerous condition was a regular, reoccurring, and ongoing condition; therefore, Defendant knew, or in the exercise of reasonable care, should have known of the above-described dangerous and hazard condition;
 - g. The Defendant failed to utilize reasonable care in the design, planning, inspection and maintenance of said area;
10. That the aforesaid acts of negligence on the parts of the Defendant were the proximate cause of the injuries sustained by Plaintiff.

11. As a direct result of his fall, the Plaintiff suffered severe and permanent bodily injury and resulting pain and suffering, disability, disfigurement, broken bones, mental anguish, loss of capacity for the enjoyment of life, loss of earnings and future earning capacity, expense of hospitalization, medical and nursing care and treatment, aggravation of a previously existing condition, and other economic damages. These losses are either permanent or continuing in nature and the Plaintiff will suffer these losses in the future.

WHEREFORE, Plaintiff, JOSE PEREZ, demands Judgment for damages and costs against the Defendant, MUNILLA CONSTRUCTION MANAGEMENT LLC, and all such other relief as this Honorable Court deems just and proper. The Plaintiff demands trial by jury of all issues so triable.

DATED THIS 8th Day of March, 2018.

Tesha Allison, Esquire
The Law Office of Tesha Allison, P.A.
Attorney for the Plaintiff
5911 NW 173rd Drive, Ste. 15
Miami Lakes, Florida 33015
T: 305-901-1471 F: 305-901-1472

By: /s/Tesha Allison
Tesha Allison, Esq.
Florida Bar No.: 108538
Tesha@tapalaw.com