

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

CIRCUIT CIVIL DIVISION (Div. ____)

CASE NO.:

STEPHEN SLIPS,

Plaintiff,

v.

SUPERMARKET STORES, INC.,

Defendant.

_____ /

COMPLAINT AND DEMAND FOR JURY TRIAL

The Plaintiff, STEPHEN SLIPS, by and through his undersigned counsel, hereby files his Complaint against the Defendant, SUPERMARKET STORES, INC., and in support thereof, states as follows:

PARTIES, VENUE, AND JURISDICTION

1. This is an action for past, present, and future damages sustained by the Plaintiffs in excess of \$30,000, exclusive of interest, costs, and attorneys' fees.
2. STEPHEN SLIPS (hereinafter referred to as "SLIPS"), is a resident of Palm Beach County, Florida, and is otherwise *sui juris*.
3. SUPERMARKET STORES, INC. LLC (hereinafter referred to as the "SUPERMARKET"), is a Florida Profit Corporation organized and existing under the laws of the State of Florida, with a principal business address in Jacksonville, Florida.
4. SUPERMARKET owned and operated a grocery store located at 1111 S.

Dixie Highway, Lantana, Palm Beach County, Florida 33462.

5. The events which gave rise to this lawsuit occurred at the SUPERMARKET store in Lantana, Palm Beach County, Florida.

6. As a result, the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida has proper jurisdiction over this lawsuit.

GENERAL ALLEGATIONS

7. On or about May 11, 2019, at approximately 11:45 a.m., STEPHEN SLIPS was shopping for dinner at the SUPERMARKET grocery store in Lantana.

8. Unbeknownst to SLIPS, while he was walking through the SUPERMARKET, there was an unknown substance on the floor.

9. The substance was clear and slippery, and there were footprints and shoe skid marks, so this was not a fresh spill.

10. Eventually, while SLIPS was walking around and shopping, he slipped on this substance, and his body crashed down onto the floor.

11. SLIPS tried to break the fall with his right arm, but the fall ended up breaking his right arm.

12. The clear and slippery substance on SUPERMARKET's grocery store floor was a dangerous condition.

13. SUPERMARKET either knew or should have known that the substance was on the floor, as other shoppers and/or employees had clearly stepped in it before SLIPS.

14. Instead, SUPERMARKET took no action to clean it up, and let the

dangerous substance sit on the floor, waiting for one more person to step into it.

15. As a result, STEPHEN SLIPS was injured, and will continue to suffer due to SUPERMARKET's actions and omissions.

COUNT I – NEGLIGENCE

16. STEPHEN SLIPS avers all of the allegations in paragraphs 1 through 15, and incorporates them as though they were fully set forth herein and further alleges:

17. SLIPS was a business invitee the entire time he was shopping at the SUPERMARKET store.

18. SUPERMARKET owed SLIPS a duty to exercise ordinary care in maintaining its grocery store.

19. SUPERMARKET breached its duty to SLIPS, by allowing the dangerous substance to sit on the floor for such a period of time that other customers and/or SUPERMARKET employees stepped in it, prior to SLIPS ultimately falling because of it.

20. Had SUPERMARKET just exercised ordinary care, it would have cleaned up the dangerous, slippery substance before SLIPS slipped in it.

21. If SUPERMARKET had exercised ordinary care, it should have known that the substance was on the ground.

22. Moreover, SUPERMARKET is a grocery store, and sells many food products that would be slippery, dangerous substances if they were spilled on the floor.

23. SUPERMARKET grocery stores encounter slippery substances with such regularity, that this dangerous substance was foreseeable.

24. As a direct and proximate result, SUPERMARKET's negligence caused SLIPS to suffer bodily injury, resulting pain and suffering, disability, mental anguish and loss of earnings, and SLIPS has incurred and will continue to incur substantial medical expenses.

25. SLIPS's losses, injuries, and expenses are either permanent or continuing in nature and SLIPS will continue to suffer same in the future.

WHEREFORE, the Plaintiff, STEPHEN SLIPS, respectfully requests that this Court take jurisdiction of the above-styled matter, enter judgment for damages against the Defendant, SUPERMARKET STORES, INC., award the Plaintiff costs, and any such further relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

The Plaintiff, STEPHEN SLIPS, demands a trial by jury on all issues so triable.

DESIGNATION OF EMAIL ADDRESSES FOR SERVICE

(Pursuant to Rule 2.516 Fla. R. Jud. Admin.)

The undersigned attorneys of Skolnick Injury Law hereby designate the following Email Addresses for service in the above styled matter. Service shall be complete upon emailing to the following email addresses in this Designation, provided that the provisions of Rule 2.516 are followed.

Lawyer@GrantSkolnick.com

SERVICE IS TO BE MADE TO EACH AND EVERY EMAIL ADDRESS LISTED IN THIS DESIGNATION AND TO NO OTHERS.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished via the e-filing portal this **24th day of November, 2020**, to **JOHN DEFENDS, ESQUIRE**, Attorney for Supermarket Stores, Inc., Defenders Law Firm, P.A., wpbcrtpleadings@defenderslawfirm.com.

SKOLNICK INJURY LAW

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/s/ Grant J. Skolnick

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