

IN THE CIRCUIT COURT OF THE SIXTH
JUDICIAL CIRCUIT IN AND FOR
PINELLAS COUNTY, FLORIDA
CASE NO:

HEATHER GREEN,
Plaintiff,
v.

NORTH BEACH PLAZA CONDOMINIUM
ASSOCIATION, INC.; and, SCI PELICAN
WALK LLC,
Defendants.

_____ /

COMPLAINT

Plaintiff, HEATHER GREEN, by and through her undersigned attorneys, sues the Defendants, NORTH BEACH PLAZA CONDOMINIUM ASSOCIATION, INC. and SCI PELICAN WALK LLC, and states as follows:

JURISDICTION AND VENUE

- 1) This is an action for damages that exceeds Fifty Thousand Dollars (\$50,000.00), exclusive of interest, costs, and attorney’s fees.
- 2) At all times material to this action, Plaintiff, HEATHER GREEN, was a natural person residing in Winter Garden, Orange County, Florida.
- 3) At all times material to this action, Defendant, NORTH BEACH PLAZA CONDOMINIUM ASSOCIATION, INC. was a Florida Not for Profit Corporation licensed to do business and doing business in the State of Florida.
- 4) At all times material to this action, Defendant SCI PELICAN WALK LLC, was a Florida Limited Liability Company licensed to do business and doing business in the State of Florida.

5) At all times material to this action, Defendant, NORTH BEACH PLAZA CONDOMINIUM ASSOCIATION, INC. was in possession and control of a parking lot at or near 490 Poinsettia Ave., Clearwater, FL 33767.

6) At all times material to this action, Defendant, SCI PELICAN WALK LLC was in possession and control of a parking lot at or near 490 Poinsettia Ave., Clearwater, FL 33767.

7) Venue is proper and this court has jurisdiction over this case because the incident occurred in Pinellas County, Florida and damages exceed \$50,000.00.

FACTS RELATED TO ALL COUNTS

8) On or about February 21, 2024, while Plaintiff, HEATHER GREEN, was lawfully on Defendant's premises located at the above address as a business invitee.

9) Plaintiff, HEATHER GREEN, tripped on an improperly maintained stairwell, and, as a consequence, Plaintiff, HEATHER GREEN, fell forcefully to the ground and sustained severe bodily injury.

COUNT I – NEGLIGENCE CLAIM BY HEATHER GREEN AGAINST NORTH BEACH PLAZA CONDOMINIUM ASSOCIATION, INC.

Plaintiff reasserts and realleges paragraphs one through eight as if fully stated herein.

10) Defendant, NORTH BEACH PLAZA CONDOMINIUM ASSOCIATION, INC. had a duty to its invitees, including Plaintiff, HEATHER GREEN, to maintain its premises, including the ingress and egress areas, including the stairs and stairwells, in a responsibly safe condition with sufficient coefficient of friction to avoid slipping when wet for use by its invitees, and to warn its invitees of any known hazards or hazardous conditions, about which Defendant knew or reasonably should have known through the exercise of reasonable care.

11) At the above time and place, Defendant, NORTH BEACH PLAZA CONDOMINIUM ASSOCIATION, INC., breached its duties owed to Plaintiff, HEATHER GREEN, by committing one or more of the following omissions or commissions:

- a. Negligently failing to maintain or adequately maintain the parking garage, ingress and egress areas, including its stairwells, thus creating an unreasonably dangerous condition to members of the public, including Plaintiff;
- b. Negligently failing to ensure the uniformity of traction among the stairs in the stairwell;
- c. Negligently failing to inspect or adequately inspect the parking garage, ingress and egress areas, including its stairwells, as specified above, to ascertain whether the condition of the stairs constituted a hazard to pedestrians utilizing said stairs, thus creating an unreasonably dangerous condition to members of the public, including Plaintiff;
- d. Negligently failing to warn or adequately warn Plaintiff of the danger of the parking garage, ingress and egress areas, including its stairwells, when the Defendant knew or through exercise of reasonable care should have known that said area was unreasonably dangerous and that Plaintiff was unaware of the same; and,
- e. Negligently failing to correct or adequately correct the unreasonably dangerous condition of the inadequate parking garage, ingress and egress areas, including its stairwells, on Defendant's premises, when this condition was either known to Defendant or had existed for a sufficient length of time

such that Defendant should have known of same had Defendant exercised reasonable care.

As a direct and proximate result of the negligence of Defendant, NORTH BEACH PLAZA CONDOMINIUM ASSOCIATION, INC., Plaintiff, HEATHER GREEN, suffered bodily injury in and about his body and extremities, resulting in pain and suffering, disability, disfigurement, permanent and significant scarring, mental anguish, loss of the capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earnings, loss of the ability to earn money, and aggravation of previous existing conditions. These losses are either permanent or continuing, and Plaintiff will suffer the losses in the future.

WHEREFORE, Plaintiff, HEATHER GREEN, sues Defendant, NORTH BEACH PLAZA CONDOMINIUM ASSOCIATION, INC., for damages and demands judgment in excess of Fifty Thousand Dollars (\$50,000.00), plus interest and costs, and demands trial by jury by all issues so triable.

COUNT II – NEGLIGENCE CLAIM BY HEATHER GREEN AGAINST SCI PELICAN WALK, LLC

Plaintiff reasserts and realleges paragraphs one through eight as if fully stated herein.

12) Defendant, SCI PELICAN WALK, LLC had a duty to its invitees, including Plaintiff, HEATHER GREEN, to maintain its premises, including the ingress and egress areas, in a responsibly safe condition with sufficient coefficient of friction to avoid slipping when wet for use by its invitees, and to warn its invitees of any known hazards or hazardous conditions, about which Defendant knew or reasonably should have known through the exercise of reasonable care.

13) At the above time and place, Defendant, SCI PELICAN WALK, LLC, breached its duties owed to Plaintiff, HEATHER GREEN, by committing one or more of the following omissions or commissions:

- a. Negligently failing to maintain or adequately maintain the parking garage, ingress and egress areas, including its stairwells, thus creating an unreasonably dangerous condition to members of the public, including Plaintiff;
- b. Negligently failing to ensure the uniformity of traction among the stairs in the stairwell;
- c. Negligently failing to inspect or adequately inspect the parking garage, ingress and egress areas, including its stairwells, as specified above, to ascertain whether the condition of the stairs constituted a hazard to pedestrians utilizing said stairs, thus creating a unreasonably dangerous condition to members of the public, including Plaintiff;
- d. Negligently failing to warn or adequately warn Plaintiff of the danger of the parking garage, ingress and egress areas, including its stairwells, when the Defendant knew or through exercise of reasonable care should have known that said area was unreasonably dangerous and that Plaintiff was unaware of the same; and,
- e. Negligently failing to correct or adequately correct the unreasonably dangerous condition of the inadequate parking garage, ingress and egress areas, including its stairwells, on Defendant's premises, when this condition was either known to Defendant or had existed for a sufficient length of time

such that Defendant should have known of same had Defendant exercised reasonable care.

As a direct and proximate result of the negligence of Defendant, SCI PELICAN WALK, LLC, Plaintiff, HEATHER GREEN, suffered bodily injury in and about his body and extremities, resulting in pain and suffering, disability, disfigurement, permanent and significant scarring, mental anguish, loss of the capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earnings, loss of the ability to earn money, and aggravation of previous existing conditions. These losses are either permanent or continuing, and Plaintiff will suffer the losses in the future.

WHEREFORE, Plaintiff, HEATHER GREEN, sues Defendant, SCI PELICAN WALK, LLC, for damages and demands judgment in excess of Fifty Thousand Dollars (\$50,000.00), plus interest and costs, and demands trial by jury by all issues so triable.

DEMAND FOR JURY TRIAL

Plaintiff demands a jury trial on all issues so triable of each and every one of the Counts set forth above.

RESPECTFULLY SUBMITTED this 29th day of October, 2025.



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