

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA, IN AND FOR PINELLAS COUNTY  
CIVIL DIVISION**

KATHLEEN ZOLLO,

Plaintiff,

v.

CASE NO.:

DIVISION:

PUBLIX SUPER MARKETS, INC., a  
Florida Profit Corporation,

Defendant.

\_\_\_\_\_ /

**COMPLAINT AND DEMAND FOR JURY TRIAL**

COMES NOW the Plaintiff, KATHLEEN ZOLLO, by and through the undersigned attorney, and hereby files this Complaint and Demand for Jury Trial against Defendant, PUBLIX SUPER MARKETS, INC., a Florida Profit Corporation, and in support thereof alleges as follows:

**PARTIES AND GENERAL ALLEGATIONS**

1. This is an action for damages in excess of fifty thousand dollars (\$50,000.00), exclusive of interests, costs, and attorneys' fees.
2. At all times relevant to this action, Plaintiff, KATHLEEN ZOLLO, resided in Saint Petersburg, Pinellas County, Florida.
3. At all times relevant to this action, Defendant PUBLIX SUPER MARKETS, INC., (hereinafter "PUBLIX") was a Florida profit corporation with its principal offices in Lakeland, Florida, and conducted business in Pinellas County, Florida.
4. The incident that gives rise to this action occurred in Pinellas Park, Pinellas County, Florida.

**JURISDICTION AND VENUE**

5. Jurisdiction and venue are proper in this Court pursuant to Chapter 47, Florida Statutes, because at all times relevant to this action Defendant conducted business in Pinellas County, Florida, and the incident that gives rise to this action occurred in Pinellas, County, Florida.

### **SUBSTANTIVE ALLEGATIONS**

6. This action arises from injuries suffered by Plaintiff, KATHLEEN ZOLLO, while she was lawfully on premises owned and/or operated by Defendant, PUBLIX, whereupon Plaintiff was injured when she tripped and fell in Defendant's store.
7. At all times relevant to this action, Defendant owned and/or operated a supermarket located at 4701 Park Blvd Pinellas Park, FL 33781.
8. On or about September 19, 2024, Plaintiff was lawfully on Defendant's premises as a business invitee of the supermarket.
9. While shopping in Defendant's supermarket, Plaintiff tripped over a display in the produce section causing her to fall to the floor. The fall caused Plaintiff to sustain severe and lasting injuries.
10. Plaintiff was walking at a normal pace and was utilizing the floor of Defendant's supermarket in the manner in which it was intended to be used when Plaintiff tripped over a display in the produce section causing her to fall.
11. At the above time and place, Plaintiff was lawfully on Defendant's premises.
12. All conditions precedent to the initiation or maintenance of this action have been performed by Plaintiff, KATHLEEN ZOLLO, or have occurred, or have been waived.

**COUNT I—Negligence/Premises Liability**

13. Plaintiff, KATHLEEN ZOLLO, re-alleges and incorporates paragraphs one (1) through thirteen (13) above as if fully set forth herein and further alleges:
14. On or about September 19, 2024, Defendant, PUBLIX, owned, operated, managed, and/or maintained, or had a duty to own, operate, manage, and/or maintain, both individually and by and/or through its agents, servants, or employees, the premises located at 4701 Park Blvd Pinellas Park, FL 33781.
15. At the aforesaid time and place, Plaintiff, KATHLEEN ZOLLO, was lawfully on said premises as a business invitee.
16. At the aforesaid time and place, Defendant, PUBLIX, both individually, and by and/or through its agents, servants, or employees, maintained the aforesaid premises, including but not limited to the floors therein, in such a manner as to cause a hazard to Plaintiff and others similarly situated.
17. At the aforesaid time and place, Plaintiff was walking at a normal pace and utilizing the floor of Defendant's premises in the manner in which the floor was intended to be used when Plaintiff tripped over a display in the produce section, causing Plaintiff to fall and sustain severe and lasting injuries.
18. At the aforesaid time and place, Defendant, PUBLIX, both individually, and by and/or through its agents, servants, or employees, had a duty to maintain the aforementioned premises, including the floors therein, in a reasonably safe condition for persons lawfully on said premises, to include Plaintiff herein.
19. At the aforesaid time and place, Defendant, PUBLIX, individually, or by and/or through its agents, servants, or employees, disregarding said duty, failed to properly maintain the

premises and allowed and/or caused the premises to enter into a dangerous condition and, as a result, Plaintiff sustained severe and lasting injuries as the result of a fall.

20. At the aforesaid time and place, Defendant, PUBLIX, individually, or by and/or through its agents, servants, or employees, acted with less than reasonable care and then and there committed one or more of the following careless and negligent acts or omissions:

- a. Improperly operated, managed, maintained, and/or controlled by, including but not limited to, failing to ensure their displays did not create hazardous conditions;
- b. Failed to install an adequate number of caution signs inside the premises;
- c. Failed to adequately place warnings to notify Plaintiff and others lawfully on the premises of the danger caused by the displays creating hazardous conditions;
- d. Failed to warn Plaintiff and other persons lawfully on the premises of the dangerous condition when Defendant, PUBLIX, knew or should have known in the exercise of reasonable care that said warning was necessary to prevent injury to Plaintiff and others similarly situated.
- e. Failed to make reasonable inspection of the premises when Defendant knew or should have known in the exercise of reasonable care that said inspection was necessary to prevent injury to Plaintiff and others lawfully on the premises;
- f. Allowed the premises to remain in a dangerous condition, making the premises unfit for use by persons lawfully on the premises for an unreasonable length of time;
- g. Failed to perform services and/or duties in such a manner as to prevent creating and/or allowing a hazardous condition to exist on the premises;

- h. Failed to perform services and/or duties in accordance with any and all written agreements and/or contracts in such a manner as to prevent creating and/or allowing a hazardous condition to exist on the premises;
  - i. Failed to perform services and/or duties in accordance with custom and practice in the industry in such a manner as to prevent creating and/or allowing a hazardous condition to exist; and/or
  - j. Was otherwise careless and negligent in the operation of said premises.
21. As a direct and proximate result of Defendant, PUBLIX's negligence, Plaintiff suffered and/or will continue to suffer in the future the following:
- a. Bodily injury; and/or
  - b. Great physical pain and suffering; and/or
  - c. Disability and inability and loss of capacity to lead and enjoy a normal life; and/or
  - d. Inconvenience; and/or
  - e. Physical impairment; and/or
  - f. Disfigurement and scarring; and/or
  - g. Mental anguish; and/or
  - h. Mental incapacity or a reduction in cognitive functioning; and/or
  - i. Loss or diminution of earning or earning capacity; and/or
  - j. Permanent injury within a reasonable degree of medical probability; and/or
  - k. Medical and related expenses, past and future, incurred in seeking a cure for her injuries.
22. Failure by Defendant, PUBLIX, to exercise reasonable care was the proximate cause of Plaintiff's injuries.

WHEREFORE Plaintiff, KATHLEEN ZOLLO, hereby demands judgment in excess of fifty thousand dollars (\$50,000.00) against Defendant, PUBLIX SUPER MARKETS, INC., for general damages together with costs, interests, and such other and further relief as this Court may deem proper.

**DEMAND FOR JURY TRIAL**

Plaintiff, KATHLEEN ZOLLO, hereby demands trial by jury on all issues so triable.

DATED this 1<sup>st</sup> day of November, 2025.

Respectfully submitted,

*/s/ Jeremy S. Clark* \_\_\_\_\_

JEREMY S. CLARK, ESQUIRE  
Florida Bar No.: 0064753  
Clark Hartpence Law  
10812 Gandy Blvd  
St. Petersburg, Florida 33702  
(727) 202-6917/(727) 202-6918 (fax)  
[Jeremy@tampabayfloridalawyers.com](mailto:Jeremy@tampabayfloridalawyers.com)  
[cari@tampabayfloridalawyers.com](mailto:cari@tampabayfloridalawyers.com)  
[litigation@tampabayfloridalawyers.com](mailto:litigation@tampabayfloridalawyers.com)  
Attorney for Plaintiff