

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL
CIRCUIT IN AND FOR PINELLAS COUNTY,
FLORIDA

KAREN JONES,

Plaintiff,

-v-

CASE NO.:

WAL-MART STORES EAST, LP
and JANE DOE,

Defendants.

_____ /

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, KAREN JONES, by and through his undersigned counsel, hereby sues Defendants, WAL-MART STORES EAST, LP and JANE DOE, and alleges as follows:

1. This is an action for damages that exceeds the sum of Fifty Thousand Dollars (\$50,000.00), exclusive of costs, interest and attorneys' fees. The actual value of Plaintiff's claim will be determined by a fair and just jury in accordance with Article 1, Section 21, Fla. Const.

2. At all times material hereto, Plaintiff, KAREN JONES, has been a natural person residing in Pinellas County, Florida.

3. At all times material to this action, Defendant, WAL-MART STORES EAST, LP is a partnership licensed and doing business in Pinellas County, Florida.

4. At all times material hereto, Defendant, WAL-MART STORES EAST, LP, owned, operated, managed, possessed, controlled, and maintained a retail store located at 10237 Bay Pines Blvd., St. Petersburg, Pinellas County, Florida.

5. At all times material hereto, Defendant, JANE DOE, was the manager of Defendant, WAL-MART STORES EAST, LP's store, located at 10237 Bay Pines Blvd., St. Petersburg, Pinellas County, Florida.

6. At all times material hereto, Defendant, JANE DOE, was a resident of Pinellas County, Florida.

7. On or about March 24, 2025, Plaintiff, KAREN JONES, visited Defendant, WAL-MART STORES EAST, LP's premises located at the above address to shop, and was therefore an invitee upon the premises.

8. At said time and place, Plaintiff, KAREN JONES, was lawfully upon the premises of the Defendants, both of which owed Plaintiff a nondelegable duty to exercise reasonable care for her safety.

COUNT I – CLAIM FOR PREMISES LIABILITY
AGAINST DEFENDANT WAL-MART STORES EAST, LP

9. Plaintiff realleges and reasserts the allegations contained within paragraphs one (1) through eight (8) as if fully set forth herein.

10. At said time and place, Defendant owed Plaintiff duties to maintain the premises in a reasonably safe condition, and to warn Plaintiff of dangerous condition on the premises.

11. At said time and place, Defendant breached these duties to Plaintiff by committing one or more of the following omissions or commissions:

- a) Negligently failing to maintain or adequately maintain the flooring in and around the premises, by allowing a substance believed to be grapes to accumulate on the floor, thus creating a slip hazard to members of the public using said premises, including the Plaintiff herein, thus creating an unreasonably dangerous condition for Plaintiff;

- b) Negligently failing to inspect or adequately inspect the flooring in and around the premises, as specified above, to ascertain whether the premises' floor, which was poorly maintained, constituted a slip hazard to customers using said premises, including the Plaintiff herein, thus creating an unreasonably dangerous condition for the Plaintiff;
- c) Negligently failing to warn or adequately warn the Plaintiff of the danger of the slippery flooring in and around the premises, when Defendant knew or through the exercise of reasonable care should have known that said premises' interior flooring was unreasonably dangerous and that Plaintiff was unaware of same;
- d) Negligently failing to correct or adequately correct the unreasonably dangerous condition of the flooring in and around the premises, when said 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;

12. As a result of Defendant's above negligence, Plaintiff suddenly and without warning slipped and fell on the aforesaid grapes which had accumulated on the floor of Defendant's premises, sustaining personal injuries as a result.

13. At all times material hereto, Defendant was aware of the dangerous condition, and/or should have known of it due to the length of time it had existed, and/or the condition occurred frequently and was therefore foreseeable.

14. As a direct and proximate result of the negligence of Defendant, Plaintiff suffered bodily injury 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 earning, loss of the ability to earn money, aggravation of previously existing condition, and activation of a latent condition. The losses are either permanent or continuing and Plaintiff will suffer the losses in the future.

WHEREFORE, the Plaintiff sues the Defendant, WAL-MART STORES EAST, LP, for damages and demands judgment in excess of Fifty Thousand Dollars (\$50,000.00), plus interest and costs, and demands trial by jury of all issues so triable.

COUNT II – CLAIM FOR NEGLIGENCE AGAINST JANE DOE

Plaintiff realleges and reasserts the allegations contained within paragraphs one (1) through eight (8) as if fully set forth herein.

15. On the date and at the place aforesaid, the Defendant, JANE DOE, was the manager of the Defendant, WAL-MART STORES EAST, LP store, and was responsible for overseeing the operations of the store.

16. On the date and at the place aforesaid, the Defendant, JANE DOE, owed to Plaintiff the duty to exercise reasonable care for the safety of the Plaintiff.

17. On the date and at the place aforesaid, the Defendant, JANE DOE, breached her duty owed to Plaintiff by committing one or more of the following omissions or commissions:

- a) Negligently failed to enforce and/or implement company and corporate policies and/or procedures for the protection and safety of its business invitees and customers, including the Plaintiff;
- b) Negligently failed to properly train and/or supervise company and corporate employees as to company and corporate policies and/or procedures for the protection and safety of its business invitees and customers, including the Plaintiff;
- c) Negligently failed to properly train and supervise company and corporate employees as to company and corporate policies and/or procedures relating to the inspection of floors, for the safety and protection of its business invitees and customers, including the Plaintiff;
- d) Negligently failed to properly train and supervise company and corporate employees as to company and corporate policies and/or procedures relating to adequately warning business invitees and customers of a dangerous slipping

hazards, including proper placement of warning signs, for the protection of its business invites and customers, including the Plaintiff;

- e) Negligently failed to alert Defendant, WALMART STORES EAST, LP, of the dangerous condition of the negligently and carelessly spilled and/or placed substance on the floor, in order to request and authorize repairs to the flooring, and the need for better and more effective training of the Defendant's employees, for the protection and safety of its business invitees and customers, including the Plaintiff;
- f) Negligently failed to prevent reasonably foreseeable injuries and creating a foreseeable risk of harm to business invites and customers by failing to repair or authorize repair or cleaning of the substance on the floor, for the protection and safety of its business invitees and customers, including the Plaintiff;
- g) Negligently failed to warn or adequately warn business invitees and customers, including the Plaintiff, of the dangerous conditions that he/she knew or should have known of, for the protection and safety of its business invitees and customers, including the Plaintiff;
- h) Negligently failed to remedy or adequately remedy the dangerous condition of the substance on the floor, or otherwise repair said dangerous condition, for the protection of its business invitees and customers, including the Plaintiff;
- i) Negligently failed to exercise reasonable care in the maintenance, inspection, suppression and repair, of the floors, for the protection and safety of its business invitees and customers, including the Plaintiff;
- j) Was negligent in other respects not yet known at this time.

18. As a result of Defendant's above negligence, Plaintiff suddenly and without warning slipped and fell on grapes which had accumulated on the floor of Defendant's premises, sustaining personal injuries as a result.

19. As a direct and proximate result of the negligence of Defendant, Plaintiff suffered bodily injury 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 earning, loss of the ability to earn money,

aggravation of previously existing condition, and activation of a latent condition. The losses are either permanent or continuing and Plaintiff will suffer the losses in the future.

WHEREFORE, the Plaintiff demands judgment against the Defendant, JANE DOE, in an amount in excess of Fifty Thousand (\$50,000.00) Dollars, and requests a trial by jury of all issues triable as of right by a jury.

RESPECTFULLY submitted on this 31ST day of October, 2025.

/s/ Robert F. McLaughlin

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