

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

CASE NO:

VIRGINIA SPICCI,

Plaintiff,

vs.

MRG (2008-E) BOCA RATON, LLC,
a Florida Limited Liability Company,

Defendant.

COMPLAINT

COMES NOW the Plaintiff, VIRGINIA SPICCI, by and through his undersigned counsel, and sues Defendant, MRG (2008-E) BOCA RATON, LLC, a Florida Limited Liability Company, and alleges as follows:

GENERAL ALLEGATIONS

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 estimated value of Plaintiff's claim is in excess of the minimum jurisdictional threshold required by this Court). Accordingly, Plaintiff has entered "\$50,001" in the civil cover sheet for the "estimated amount of the claim" as required in the preamble to the civil cover sheet for jurisdictional purposes only (the Florida Supreme Court has ordered that the estimated "amount of claim" be set forth in the civil cover sheet for data collection and clerical purposes only). 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, VIRGINIA SPICCI, was and is a natural person residing in Broward County, Florida.

3. At all times material hereto, the Defendant, MRG (2008-E) BOCA RATON, LLC, was a business formed under the laws of the State of Florida and licensed to do business in the State of Florida.

4. Venue is proper in this Court as the incident giving rise to this action occurred in Broward County, Florida.

COUNT I – NEGLIGENCE AGAINST DEFENDANT
MRG (2008-E) BOCA RATON, LLC

5. At all times material hereto, and on May 3, 2025, Defendant, MRG (2008-E) BOCA RATON, LLC, owned, operated, managed, controlled, maintained and/or possessed a grocery store commonly known as Matteo's Boca Raton located at 233 Federal Hwy., STE. 108, Boca Raton, Palm Beach County, Florida 33432, (hereinafter referred to as the "Premises") said business being open to the general public, including the Plaintiff herein.

6. On or about May 3, 2025, Plaintiff, VIRGINIA SPICCI, visited Defendant's premises located at the aforementioned address.

7. At said time and place, Plaintiff was a business invitee, lawfully upon the premises of the Defendant, who owed Plaintiff a non-delegable duty to exercise reasonable care for Plaintiff's safety.

8. At said time and place, Plaintiff was walking through the Defendant's restaurant, near the bathrooms, when she suddenly and unexpectedly slipped and fell on a foreign, liquid, transitory substance that had been left upon the floor.

9. At all times material hereto, MRG (2008-E) BOCA RATON, LLC had actual knowledge of the substance on the floor. Alternatively, the substance on the floor existed for such a length of time that, in the exercise of reasonable care, Defendant should have known about it; or the substance was on the floor near the entrance to the store with regularity and was therefore

foreseeable.

10. At all times material hereto, the Defendant, MRG (2008-E) BOCA RATON, LLC, by and through its employees, agents, and assigns, owed a non-delegable duty to Plaintiff, as its business invitee, to maintain its premises in a reasonably safe condition, and to warn Plaintiff of latent or concealed dangers, which are or should be known to the Defendant and which were unknown to Plaintiff and could not be discovered through the exercise of reasonable care. The Defendant breached its duty to Plaintiff by committing one or more of the following acts or omissions:

- a) Negligently creating and/or allowing a hazardous condition to exist on its premises which was reasonably foreseeable to cause injury to Plaintiff;
- b) Negligently failing to maintain or adequately maintain the premises to prevent Plaintiff from encountering a hazardous condition;
- c) Negligently failing to inspect or adequately inspect the premises to ascertain whether the aforesaid condition constituted a hazard to Plaintiff;
- d) Negligently failing to correct or adequately correct a dangerous and hazardous condition which was and/or should have been known to the Defendant;
- e) Negligently failing to warn the Plaintiff of said dangerous condition 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.

11. As a direct and proximate result of the Defendant's negligence as alleged above, Plaintiff suffered injury including a permanent injury to the body as a whole, including but not limited to pain and suffering of both a physical and mental nature, disability, physical impairment,

disfigurement, mental anguish, inconvenience, loss of 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, and aggravation of a previously existing condition. These losses are either permanent or continuing and Plaintiff will suffer these losses in the future.

WHEREFORE, Plaintiff VIRGINIA SPICCI, demands judgment in her favor against the Defendant MRG (2008-E) BOCA RATON, LLC, in excess of the minimum jurisdictional limits of this Court for compensatory damages, including incidental and consequential damages, post-judgement interest, costs, and for any other relief this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff, VIRGINIA SPICCI, demands trial by jury of all issues so triable as of right by jury.

RESPECTFULLY submitted this 26th day of November 2025.

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