

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

SHARON NEWMAN,

Plaintiff,

CASE NO.:

vs.

UNITED WE ROCK LLC,
DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY
and CITY OF DELRAY BEACH,

Defendants.

/

COMPLAINT

Plaintiff, SHARON NEWMAN, by and through the attorney, hereby sues Defendants, UNITED WE ROCK LLC, DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY and CITY OF DELRAY BEACH, and alleges as follows:

GENERAL ALLEGATIONS

1. This is an action for damages in excess of Fifty Thousand Dollars (\$50,000.00), exclusive of attorney's fees and costs.
2. At all times material hereto, Plaintiff, SHARON NEWMAN, all times material and relevant hereto, was a resident of Broward County, Florida and *sui juris*.
3. At all times material hereto, Defendant, UNITED WE ROCK LLC is a corporation licensed to do business in Palm Beach County, Florida.

4. At all times material hereto, Defendant, Defendant, DELRAY BEACH COMMUNITY DEVELOPMENT AGENCY is a corporation licensed to do business in Palm Beach County, Florida.

5. At all times material hereto, Defendant, CITY OF DELRAY BEACH is a governmental entity in Palm Beach County, Florida.

6. Plaintiff has complied with all conditions precedent to filing this lawsuit, including Florida Statute 768.28.

7. On or about January 27, 2024, Plaintiff, SHARON NEWMAN, was lawfully on the premises attending an event located at or near the Old School Square, 51 North Swinton Avenue, Delray Beach, Florida, which is owned, operated and/or controlled by one or all of the Defendants

8. While walking the premises, she was unable to access the designated walkway due to it being blocked off due to the actions/inactions of one or all of the Defendants, requiring her to walk on the adjacent grass and causing her to trip and fall over a protruding tree root.

COUNT I - NEGLIGENCE AGAINST
UNITED WE ROCK LLC

Plaintiff, SHARON NEWMAN, hereinafter reaffirms and realleges each and every allegation contained in the General Allegations as if fully set forth herein.

9. On or about January 27, 2024, Defendant, UNITED WE ROCK LLC, by and through its agents, employees, and or servants, negligently and carelessly maintained the above-mentioned premises, to-wit: by allowing a protruding tree root to exist on the premises and/or failing to grant access to the walkway, thus creating a tripping hazard and causing Plaintiff, SHARON NEWMAN, to trip and fall thereby sustaining serious personal injuries.

10. Defendant, UNITED WE ROCK LLC, had a duty to maintain its premises in a reasonably safe and proper condition for the general public.

11. Defendant, UNITED WE ROCK LLC, was negligent in creating or permitting the aforementioned dangerous and hazardous condition to remain upon the premises, rendering said premises dangerous and unsafe for Plaintiff.

12. Defendant, UNITED WE ROCK LLC, either knew or should have known of the existence of the dangerous condition and should have taken steps to warn Plaintiff, SHARON NEWMAN of the existence of the dangerous condition.

13. In the alternative, Defendant UNITED WE ROCK LLC, negligently failed to maintain its premises in a reasonably safe condition or negligently failed to correct a dangerous condition which Defendant, UNITED WE ROCK LLC, knew or should have known in the exercise of reasonable care, or negligently failed to warn of a dangerous condition that which Defendant, UNITED WE ROCK LLC, had or should have had knowledge greater than that of Plaintiff, SHARON NEWMAN.

14. Defendant, UNITED WE ROCK LLC, failed to warn Plaintiff, SHARON NEWMAN, of the aforementioned condition and the risk involved in as much as the presence of Plaintiff, SHARON NEWMAN was known or reasonably foreseeable by Defendant.

15. Plaintiff, SHARON NEWMAN, neither knew nor should have known of said dangerous condition and risk and the Plaintiff exercised reasonable care.

16. Defendant, UNITED WE ROCK LLC employees, servants and agents all acted in course and scope of their employment herein.

17. As a result of the Defendant's failure to maintain the premises in a reasonably safe condition, Plaintiff, SHARON NEWMAN was severely injured.

18. As a result thereof, Plaintiff, SHARON NEWMAN, suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earnings, loss of ability to earn money, and aggravation of a previously existing condition. The losses are either permanent or continuing and Plaintiff, SHARON NEWMAN, will suffer the losses in the future.

WHEREFORE, Plaintiff, SHARON NEWMAN demands judgment for damages and all costs of said proceedings against Defendant, UNITED WE ROCK LLC, a trial by jury of all issues triable as a right by a jury and any other relief this Honorable Court deems just and proper.

COUNT II - NEGLIGENCE AGAINST
DELRAY BEACH COMMUNITY REVELOPMENT AGENCY

Plaintiff, SHARON NEWMAN, hereinafter reaffirms and realleges each and every allegation contained in the General Allegations as if fully set forth herein.

19. On or about January 27, 2024, Defendant, DELRAY BEACH COMMUNITY REVELOPMENT AGENCY, by and through its agents, employees, and or servants, negligently and carelessly maintained the above-mentioned premises, to-wit: by allowing a protruding tree root to exist on the premises and/or failing to grant access to the walkway, thus creating a tripping hazard and causing Plaintiff, SHARON NEWMAN, to trip and fall thereby sustaining serious personal injuries.

20. Defendant, DELRAY BEACH COMMUNITY DEVELOPMENT AGENCY, had a duty to maintain its premises in a reasonably safe and proper condition for the general public.

21. Defendant, DELRAY BEACH COMMUNITY DEVELOPMENT AGENCY, was negligent in creating or permitting the aforementioned dangerous and hazardous condition to remain upon the premises, rendering said premises dangerous and unsafe for Plaintiff.

22. Defendant, DELRAY BEACH COMMUNITY DEVELOPMENT AGENCY, either knew or should have known of the existence of the dangerous condition and should have taken steps to warn Plaintiff, SHARON NEWMAN of the existence of the dangerous condition.

23. In the alternative, Defendant DELRAY BEACH COMMUNITY DEVELOPMENT AGENCY, negligently failed to maintain its premises in a reasonably safe condition or negligently failed to correct a dangerous condition which Defendant, DELRAY BEACH COMMUNITY DEVELOPMENT AGENCY, knew or should have known in the exercise of reasonable care, or negligently failed to warn of a dangerous condition that which Defendant, DELRAY BEACH COMMUNITY DEVELOPMENT AGENCY, had or should have had knowledge greater than that of Plaintiff, SHARON NEWMAN.

24. Defendant, DELRAY BEACH COMMUNITY DEVELOPMENT AGENCY, failed to warn Plaintiff, SHARON NEWMAN, of the aforementioned condition and the risk involved in as much as the presence of Plaintiff, SHARON NEWMAN was known or reasonably foreseeable by Defendant.

25. Plaintiff, SHARON NEWMAN, neither knew nor should have known of said dangerous condition and risk and the Plaintiff exercised reasonable care.

26. Defendant, DELRAY BEACH COMMUNITY REVELOPMENT AGENCY employees, servants and agents all acted in course and scope of their employment herein.

27. As a result of the Defendant's failure to maintain the premises in a reasonably safe condition, Plaintiff, SHARON NEWMAN was severely injured.

28. As a result thereof, Plaintiff, SHARON NEWMAN, suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earnings, loss of ability to earn money, and aggravation of a previously existing condition. The losses are either permanent or continuing and Plaintiff, SHARON NEWMAN, will suffer the losses in the future.

WHEREFORE, Plaintiff, SHARON NEWMAN demands judgment for damages and all costs of said proceedings against Defendant, DELRAY BEACH COMMUNITY REVELOPMENT AGENCY, a trial by jury of all issues triable as a right by a jury and any other relief this Honorable Court deems just and proper.

COUNT III - NEGLIGENCE AGAINST
CITY OF DELRAY BEACH

Plaintiff, SHARON NEWMAN, hereinafter reaffirms and realleges each and every allegation contained in the General Allegations as if fully set forth herein.

29. On or about January 27, 2024, Defendant, CITY OF DELRAY BEACH, by and through its agents, employees, and or servants, negligently and carelessly maintained the above-mentioned premises, to-wit: by allowing a protruding tree root to exist on the premises and/or

failing to grant access to the walkway, thus creating a tripping hazard and causing Plaintiff, SHARON NEWMAN, to trip and fall thereby sustaining serious personal injuries.

30. Defendant, CITY OF DELRAY BEACH, had a duty to maintain its premises in a reasonably safe and proper condition for the general public.

31. Defendant, CITY OF DELRAY BEACH, was negligent in creating or permitting the aforementioned dangerous and hazardous condition to remain upon the premises, rendering said premises dangerous and unsafe for Plaintiff.

32. Defendant, CITY OF DELRAY BEACH, either knew or should have known of the existence of the dangerous condition and should have taken steps to warn Plaintiff, SHARON NEWMAN of the existence of the dangerous condition.

33. In the alternative, Defendant CITY OF DELRAY BEACH, negligently failed to maintain its premises in a reasonably safe condition or negligently failed to correct a dangerous condition which Defendant, CITY OF DELRAY BEACH, knew or should have known in the exercise of reasonable care, or negligently failed to warn of a dangerous condition that which Defendant, CITY OF DELRAY BEACH, had or should have had knowledge greater than that of Plaintiff, SHARON NEWMAN.

34. Defendant, CITY OF DELRAY BEACH, failed to warn Plaintiff, SHARON NEWMAN, of the aforementioned condition and the risk involved in as much as the presence of Plaintiff, SHARON NEWMAN was known or reasonably foreseeable by Defendant.

35. Plaintiff, SHARON NEWMAN, neither knew nor should have known of said dangerous condition and risk and the Plaintiff exercised reasonable care.

36. Defendant, CITY OF DELRAY BEACH employees, servants and agents all acted in course and scope of their employment herein.

37. As a result of the Defendant's failure to maintain the premises in a reasonably safe condition, Plaintiff, SHARON NEWMAN was severely injured.

38. As a result thereof, Plaintiff, SHARON NEWMAN, suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earnings, loss of ability to earn money, and aggravation of a previously existing condition. The losses are either permanent or continuing and Plaintiff, SHARON NEWMAN, will suffer the losses in the future.

WHEREFORE, Plaintiff, SHARON NEWMAN demands judgment for damages and all costs of said proceedings against Defendant, CITY OF DELRAY BEACH, a trial by jury of all issues triable as a right by a jury and any other relief this Honorable Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury of all issues triable as a right by a jury.

DATED this 6th day of January, 2026.

JESSE DAVIDSON, P.A.
Attorney for Plaintiff
2500 Quantum Lakes Drive, Suite 203
Boynton Beach, FL 33426
Telephone: (561) 853-2230
Facsimile: (561) 600-0560
Email: jesse@jdavidson-law.com
Secondary: kfonseca@jdavidson-law.com

By: /s/ Jesse Davidson
JESSE DAVIDSON
Florida Bar No.: 83808