

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

CASE NO:

CINDY G. SCHAEFFER and
ROBERT LEHANE, her Husband,

Plaintiff,

vs.

EQUITY ONE FLORIDA PORTFOLIO, LLC,
a Florida Limited Liability Corporation, dba BOCA VILLAGE SQUARE,

Defendant.

COMPLAINT FOR DAMAGES AND DEMAND FOR TRIAL BY JURY

The Plaintiff, CINDY G. SCHAEFFER and ROBERT LEHANE, her Husband, sue the Defendant, EQUITY ONE FLORIDA PORTFOLIO, LLC, a Florida Limited Liability Corporation, dba BOCA VILLAGE SQUARE, for damages and allege:

GENERAL ALLEGATIONS

1. This is an action for damages in excess of the minimal jurisdictional limits of the above-styled court, exclusive of attorneys' fees, interest and costs, and Plaintiff hereby demands a jury trial; accordingly, although, to file this Complaint, his undersigned counsel is being required by order of the Supreme Court of Florida to contemporaneously complete a Civil Cover Sheet with a dollar figure as an estimated amount of claim for data collection and clerical processing purposes only, the full monetary value of the damages suffered by the Plaintiff is yet to be determined and will be decided in a verdict by the jury that judges the facts of this action in compliance with Article I, Section 22 of the Florida Constitution.

2. At all times material, the Defendant, EQUITY ONE FLORIDA PORTFOLIO, LLC, was a Florida Limited Liability Corporation, authorized to and doing business as BOCA VILLAGE SQUARE, 21172-21239 St. Andrews Boulevard, Boca Raton Palm Beach County, Florida 33433 (hereinafter “subject premises”) where this cause of action accrued.

3. At all times material, the Plaintiffs were residents of Palm Beach County, Florida and are otherwise *sui juris*.

4. At all times material, the Defendant, owned, was in control of and/or had the responsibility for the maintenance, management, and operation of the subject premises.

5. On or about March 10, 2024, the Plaintiff, CINDY G. SCHAEFFER, was a licensee, invitee and/or business invitee at the subject premises and was therefore lawfully on the subject premises of the Defendants.

6. On or about March 10, 2024, the Plaintiff, CINDY G. SCHAEFFER, tripped and fell as the result of a defective, hazardous and/or dangerous condition (i.e. raised/cracked curbing and asphalt from tree roots in the parking lot area) at the subject premises, resulting in her severe and debilitating injuries.

COUNT I
NEGLIGENCE CLAIM AGAINST
EQUITY ONE FLORIDA PORTFOLIO, LLC, dba BOCA VILLAGE SQUARE

7. The Plaintiffs realleges Paragraphs 1 through 6.

8. At all times material hereto, the Defendant had a duty to maintain the subject premises in a safe condition so as to avoid injury to licensees, invitees, and/or business invitees, including the Plaintiff, CINDY G. SCHAEFFER.

9.. At all times material, the Defendant had a non-delegable duty to maintain the subject premises in a safe condition so as to avoid injury to licensees, invitees, and/or business invitees, including the Plaintiff, CINDY G. SCHAEFFER.

10. At all times material, the Defendant negligently breached that duty and as a result thereof, the Plaintiff, CINDY G. SCHAEFFER, was injured.

11. At all times material, the Plaintiff, CINDY G. SCHAEFFER's injuries were directly and proximately caused by the negligence of the Defendants in that:

a. Defendant permitted and allowed the subject premises to become and remain in a negligently defective and unreasonably dangerous condition. As a result of said negligence, the Plaintiff, CINDY G. SCHAEFFER, was caused to fall to the ground, and did thereby suffer serious and debilitating injuries.

b. Defendant negligently and carelessly maintained and/or controlled the subject premises in a dangerous or hazardous condition thereby failing to provide safe premises for licensees, invitees, and/or business invitees, including the Plaintiff, CINDY G. SCHAEFFER. As a result of said negligence, the Plaintiff, CINDY G. SCHAEFFER, was caused to fall to the ground, and did thereby suffer serious and debilitating injuries.

c. Defendant negligently and carelessly failed to inspect the subject premises for such hazardous conditions where it knew or with reasonable diligence should have known that such conditions would increase the risk of injury to licensees, invitees, and/or business invitees, including the Plaintiff, CINDY G. SCHAEFFER. As a result of said negligence, the Plaintiff, CINDY G. SCHAEFFER, was caused to fall to the ground, and did thereby suffer serious and debilitating injuries.

d. Defendant negligently and carelessly failed to take reasonable and appropriate curative measures for such hazardous conditions at the subject premises, where it knew or with reasonable diligence should have known that such conditions would increase the risk of injury to licensees, invitees, and/or business invitees, including the Plaintiff, CINDY G. SCHAEFFER. As a result of said negligence, the Plaintiff, CINDY G. SCHAEFFER, was caused to fall to the ground, and did thereby suffer serious injuries.

e. Defendant negligently and carelessly failed to warn the Plaintiff, CINDY G. SCHAEFFER, of any dangerous and/or hazardous condition(s) existing on the subject premises that the Defendants knew or should have known existed for a period of time sufficient enough to place the Defendant on notice of the dangerous and/or hazardous condition(s). As a result of said negligence, the Plaintiff, CINDY G. SCHAEFFER, was caused to fall to the ground, and did thereby suffer serious injuries; and

f. Such other allegations of negligence that may be revealed through the discovery process in this case.)

12. As a direct and proximate result of the negligence of the Defendant, the Plaintiff, CINDY G. SCHAEFFER, suffered personal injury, disability, discomfort, pain and suffering, mental anguish, loss of capacity for the enjoyment of life, aggravation of pre-existing conditions, and the Plaintiffs were forced to incur medical expenses for the care and treatment of said injuries as a result of the Defendant's negligence thereby suffering uncompensated economic losses for medical expenses in addition to non-economic damages.

WHEREFORE, the Plaintiffs, CINDY G. SCHAEFFER and ROBERT LEHANE, her Husband, demand judgment against the Defendant, EQUITY ONE FLORIDA PORTFOLIO, LLC, a Florida Limited Liability Corporation, dba BOCA VILLAGE SQUARE, for damages in addition to costs, and further, demands trial by jury.

COUNT II
LOSS OF CONSORTIUM CLAIM OF ROBERT LEHANE

13. The Plaintiff, ROBERT LEHANE, realleges paragraphs 1 through 12.

14. At all times material, the Plaintiff, ROBERT LEHANE, was the lawful husband of the Plaintiff, CINDY G. SCHAEFFER, with the Plaintiffs residing together as husband and wife.

15. As a direct and proximate result of the negligence of the Defendant, and the personal injuries suffered by his wife, the Plaintiff, ROBERT LEHANE, suffered the loss of comfort, companionship, society, affection, services and consortium of his wife, the Plaintiff, CINDY G. SCHAEFFER, past and future.

WHEREFORE, the Plaintiff, ROBERT LEHANE, demands judgment against the Defendant, EQUITY ONE FLORIDA PORTFOLIO, LLC, a Florida Limited Liability Corporation, dba BOCA VILLAGE SQUARE, for damages in addition to costs, and further, demands trial by jury.

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Dated: January 9, 2026

BY: s/Andrew C. Gordon
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