

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

CASE NO.:

EDGAR M. PIMIENTO, INDIVIDUALLY
AND AS SPOUSE, AND MARIA A.
RUBIO, INDIVIDUALLY AND AS
SPOUSE,

Plaintiffs,
vs.

THE SCHOOL BOARD OF PALM
BEACH COUNTY,

Defendant.

COMPLAINT AND DEMAND FOR JURY TRIAL

COMES NOW Plaintiffs, EDGAR A. PIMIENTO, INDIVIDUALLY AND AS SPOUSE,
and MARIA A. RUBIO, INDIVIDUALLY AND AS SPOUSE, hereby sue Defendant, THE
SCHOOL BOARD OF PALM BEACH COUNTY, and in support allege:

ALLEGATIONS COMMON TO ALL COUNTS

1. This is an action for damages in excess of Fifty Thousand Dollars (\$50,000.00),
exclusive of interest, costs and attorney's fees.

2. That at all times material to the cause herein, Plaintiff, EDGAR A. PIMIENTO,
was at all material times and remains a resident of Palm Springs, Palm Beach County, Florida,
over the age of eighteen (18), and is otherwise *sui juris*.

3. Plaintiff, MARIA A. RUBIO, was at all material times and remains a resident of
Palm Springs, Palm Beach County, Florida, over the age of eighteen (18), and is otherwise *sui*
juris.

4. Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, was and is a municipality meeting the definition as defined by Florida Statutes 768.28, et seq.

5. At all times material hereto, Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, owned and/or co-owned a 2021 ICBU Bus (subject bus) which was being operated with its permission, knowledge, and/or consent by its employee, Lonnie W. Owens, at or near Gateway Blvd. and SR 9, in Boynton Beach, Palm Beach County, Florida.

6. On or about April 9, 2025, Lonnie W. Owens, negligently operated and maintained the subject bus when he crashed into the rear of Plaintiffs vehicle while stopped at the red traffic signal.

7. At the time and place, Lonnie W. Owens, was within the course and scope of his employment with Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY.

8. At the time and place, Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, was vicariously liable for the negligence of its employee, Lonnie W. Owens.

9. Venue is proper in Palm Beach County, Florida, because the conduct from which this cause of action arises occurred in Palm Beach County, Florida, and Defendant, THE SCHOOL BOARD OF PALM BEACH, is located in Palm Beach County, Florida.

10. Plaintiffs, EDGAR M. PIMIENTO and MARIA A. RUBIO, notice pursuant to Fla. Stat. Section §768.28 dated April 22, 2025, was sent to Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, by certified mail, and a copy to the Florida Department of Financial Services in Tallahassee, Florida. Plaintiff's return receipts indicate Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, received said Notice on April 25, 2025, and April 28, 2025. Plaintiff's return receipt indicates the Florida Department of Financial Services received said Notices on May 1, 2025. True and correct copies of said notices and return receipts are attached hereto as Plaintiff's Composite Exhibit A.

11. All conditions precedent to the filing of this lawsuit against Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, have been met, satisfied and/or waived.

COUNT I
EDGAR M. PIMIENTO NEGLIGENCE CLAIM
AGAINST THE SCHOOL BOARD OF PALM BEACH COUNTY

12. As a result of the negligence of Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, and as a direct result of the negligence in the maintenance and operation of the subject motor vehicle, Plaintiff, EDGAR M. PIMIENTO, was caused to suffer losses, injuries and/or damages.

13. As a direct, legal, and proximate cause of the negligence of Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, Plaintiff, EDGAR M. PIMIENTO, sustained significant bodily injuries resulting in pain and suffering, disability, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, expenses of hospitalization, medical and nursing care and treatment, loss of earnings, loss of ability to earn money and aggravation of a previously existing condition. Plaintiff, EDGAR M. PIMIENTO, has incurred medical expenses in the care and treatment of said injuries; all of said injuries are permanent and ongoing. Plaintiff will continue to incur such damages into the future.

WHEREFORE, Plaintiff, EDGAR M. PIMIENTO, demands judgment for compensatory damages and costs against Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, and such other and further relief as the Court may deem just and proper under the circumstances and furthermore demands trial by jury.

COUNT II
MARIA A. RUBIO NEGLIGENCE CLAIM
AGAINST THE SCHOOL BOARD OF PALM BEACH COUNTY

14. As a result of the negligence of Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, and as a direct result of the negligence in the maintenance and operation of

the subject motor vehicle, Plaintiff, MARIA A. RUBIO, was caused to suffer losses, injuries and/or damages.

15. As a direct, legal, and proximate cause of the negligence of Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, Plaintiff, MARIA A. RUBIO, sustained significant bodily injuries resulting in pain and suffering, disability, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, expenses of hospitalization, medical and nursing care and treatment, loss of earnings, loss of ability to earn money and aggravation of a previously existing condition. Plaintiff, MARIA A. RUBIO, has incurred medical expenses in the care and treatment of said injuries; all of said injuries are permanent and ongoing. Plaintiff will continue to incur such damages into the future.

WHEREFORE, Plaintiff, MARIA A. RUBIO, demands judgment for compensatory damages and costs against Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, and such other and further relief as the Court may deem just and proper under the circumstances and furthermore demands trial by jury.

COUNT III
EDGAR M. PIMIENTO CONSORTIUM CLAIM AGAINST THE SCHOOL
BOARD OF PALM BEACH COUNTY

16. At all times material hereto, Plaintiffs, EDGAR M. PIMIENTO and MARIA A. RUBIO, have been and remain married.

17. That at all times mentioned herein, Plaintiff, EDGAR M. PIMIENTO, was entitled to and has been deprived of the aid, the support, services, society, companionship and consortium of each other, and as a direct and proximate result of the aforesaid negligence of Defendant, as set forth above, the ability of Plaintiff, EDGAR M. PIMIENTO, to render such services and assistance to each other have been permanently impaired.

18. The damages described above have been suffered in the past, are either permanent or continuing in nature, and Plaintiff will suffer such losses in the future.

WHEREFORE, Plaintiff, EDGAR M. PIMIENTO, as spouse, demand judgment for any and all damages against Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, and such other and further relief as the Court may deem just and proper under the circumstances and furthermore demands trial by jury.

COUNT IV
MARIA A. RUBIO CONSORTIUM CLAIM AGAINST THE SCHOOL BOARD
OF PALM BEACH COUNTY

19. At all times material hereto, Plaintiffs, EDGAR M. PIMIENTO and MARIA A. RUBIO, have been and remain married.

20. That at all times mentioned herein, Plaintiff, MARIA A. RUBIO, was entitled to and has been deprived of the aid, the support, services, society, companionship and consortium of each other, and as a direct and proximate result of the aforesaid negligence of the Defendant, as set forth above, the ability of Plaintiff, MARIA A. RUBIO, to render such services and assistance to each other have been permanently impaired.

21. The damages described above have been suffered in the past, are either permanent or continuing in nature, and Plaintiff will suffer such losses in the future.

WHEREFORE, Plaintiffs, MARIA A. RUBIO, as spouse, demand judgment for any and all damages against Defendant, THE SCHOOL BOARD OF PALM BEACH COUNTY, and such other and further relief as the Court may deem just and proper under the circumstances and furthermore demands trial by jury.

Dated this 29th day of January, 2026.

/s/ Kelsey Burke Arrieta
Kelsey Burke Arrieta, Esq.
Florida Bar No. 118111

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