

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

IRENE BRACCO,

Plaintiff,

vs.

Case No:

CITY OF BOCA RATON, a municipality
of the State of Florida,

Defendant.

COMPLAINT

Plaintiff, IRENE BRACCO, sues Defendant, CITY OF BOCA RATON, a municipality of the State of Florida, and states the following:

1. This is a cause of action for damages in excess of \$50,000.00.
2. All conditions precedent to filing this action have been complied with, expired, and/or waived.
3. Plaintiff has complied with the pre-suit notice requirements of Florida Statutes § 768.28(6). A copy of Plaintiff's pre-suit notice letter sent to Defendant, CITY OF BOCA RATON, and the Florida Department of Financial Services on March 25, 2025 is enclosed herein as **Exhibit A**.
4. The incident described herein occurred in Palm Beach County, Florida.
5. Venue is proper in the Circuit Court of the 15th Judicial Circuit in and for Palm Beach County, Florida.
6. At all times material hereto, Defendant, CITY OF BOCA RATON, owned, operated, controlled, managed, and/or maintained the premises of the Spanish River

Park, located at 3001 North Ocean Boulevard in Boca Raton, Palm Beach County, Florida.

7. On or about March 2, 2024, Plaintiff, IRENE BRACCO, was an invitee lawfully on the premises of Spanish River Park.

8. At that time and place, Plaintiff, IRENE BRACCO, tripped and fell over an unmarked speed bump on the premises.

9. Defendant, CITY OF BOCA RATON, had a duty to maintain the premises in a reasonably safe condition, correct any dangerous condition of which it either knew or should have known by the use of reasonable care, and to warn of any dangerous conditions concerning which it had, or should have had, knowledge greater than that of its invitees. Defendant, CITY OF BOCA RATON, breached all of these duties.

10. Specifically, Defendant, CITY OF BOCA RATON, negligently:
- a) Failed to maintain the premises in a reasonably safe condition;
 - b) Installed dangerous speed bumps on a paved road regularly used by pedestrians;
 - c) Failed to paint or demarcate the speed bumps in any way, so that they blended into the pavement and resulted in a concealed trip hazard;
 - d) Created a foreseeable trip hazard and dangerous condition for pedestrians on the premises;
 - e) Created a foreseeable zone of risk for pedestrians on the premises;
 - f) Created a concealed trip hazard and dangerous condition on the premises;
 - g) Allowed a concealed trip hazard and dangerous condition to remain on the premises for an unreasonable length of time; and

h) Failed to warn the Plaintiff and similarly situated individuals of the dangerous condition.

11. Defendant, CITY OF BOCA RATON, knew or, in the exercise of ordinary care, should have known the premises were not in a reasonably safe condition.

12. Defendant, CITY OF BOCA RATON, had actual or constructive notice of the dangerous condition.

13. As the direct and proximate result of the negligence of Defendant, CITY OF BOCA RATON, Plaintiff, IRENE BRACCO, 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, and aggravation of a previously existing condition. The losses are either permanent or continuing and Plaintiff will suffer the losses in the future.

WHEREFORE, Plaintiff, IRENE BRACCO, demands judgment for damages against Defendant, CITY OF BOCA RATON.

Plaintiff demands trial by jury on all issues so triable.

Respectfully submitted this 23 day of February, 2026.

By: /s/ Shawn McCloskey, Esq. _____

SHAWN MCCLOSKEY, ESQ.

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Attorney for Plaintiff, IRENE BRACCO

EXHIBIT A

NOT A CERTIFIED COPY

March 25, 2025

Florida Department of Financial Services
Legal Notices
200 East Gaines St.
Tallahassee, FL 32399-4228

City of Boca Raton, Recreation
Attn: Greg Stevens, Director
201 W. Palmetto Park Road
Boca Raton, FL 33432

City of Boca Raton
Attn: Scott Singer, Mayor
201 West Palmetto Park Road
Boca Raton, FL 33432

Re: Our Client: Irene Bracco
D/Loss: 03/02/24
City Subdivision: City of Boca Raton

Dear Sir or Madam:

FLORIDA STATUTES § 768.28 NOTICE

This law firm is privileged to represent Irene Bracco for the injuries she sustained on March 2, 2024 at or near 3001 Florida A1A Boca Raton, Fl 33431, Spanish River Park, when she tripped and fell on a unmarked speed bump, thereby sustaining serious injuries. City of Boca Raton knew or should have known that its walkways would be used, and thus, should have ensured that the walkways were safe and reasonably maintained. City of Boca Raton beach was negligent in that they failed to maintain the walkway in a reasonable manner by allowing the unmarked speed bump to exist, thereby causing or creating a dangerous and hazardous condition.

In order to settle this claim against City of Boca Raton, Irene Bracco demands \$200,000.

Irene Bracco was born on [REDACTED]. Her social security is [REDACTED]. She is not aware of any adjudicated penalties, fines, fees, victim restitution fund, and other judgments in excess of \$200, whether imposed by a civil, criminal, or administrative tribunal, owed by the claimant to the state, its agency, officer or subdivision.

I look forward to your prompt response. In the meantime, should you have any further questions or require additional information, please do not hesitate to contact me.

Very truly yours,

Jensen M. Grant Esq.

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