

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

JOSEPH GLIATTA,

CIVIL DIVISION

Plaintiff,

CASE NO.:

v.

AW BOCA CLINIC, LLC.

Defendant.

_____ /

COMPLAINT FOR DAMAGES AND DEMAND FOR JURY TRIAL

Plaintiff, **JOSEPH GLIATTA**, by and through the undersigned counsel, sues Defendant, **AW BOCA CLINIC, LLC**, a Florida For-Profit, Limited Liability Company, and alleges:

ALLEGATIONS COMMON TO ALL COUNTS

1. This is an action for damages in excess of Seventy-five Thousand Dollars and 00/100 (\$75,000.00), and within the jurisdictional limits of this Court.

2. At all times material hereto Plaintiff, **JOSEPH GLIATTA**, has been domiciled in Florida and is a resident of Vero Beach, of Indian River County, Florida, and was otherwise *sui juris*.

3. At all times material hereto Defendant, **AW BOCA CLINIC, LLC**, is a Foreign For-Profit Corporation and is subject to jurisdiction of this Court.

4. The Defendant, **AW BOCA CLINIC, LLC**, was and is a Florida Limited Liability Company actively doing business in Palm Beach County, Florida.

5. Venue is proper in this County in that Defendant owned, maintained and/or operated the property located at 1601 Clint Moore Road, Boca Raton, FL 33487 (hereinafter

referred to as “premises”) in Palm Beach County, Florida, where all of the acts complained of herein occurred.

6. That on or about April 21, 2025, Plaintiff, **JOSEPH GLIATTA**, was business invitee of Defendant, **AW BOCA CLINIC, LLC**, while he was at the premises at 1601 Clint Moore Road, Boca Raton, FL.

NEGLIGENCE CLAIM AGAINST
DEFENDANT, AW BOCA CLINIC, LLC

Plaintiff re-alleges and restates the allegations in paragraphs 1 through 6 as if fully set forth herein.

7. At all times material hereto, and specifically on April 21, 2025, Defendant **AW BOCA CLINIC, LLC**, owned, managed, controlled, operated, and/or maintained premises (including the parking lot) located at 1601 Clint Moore Road, Boca Raton, Florida, including but not limited to the area within where the incident took place.

8. That on or about on April 21, 2025, Plaintiff, **JOSEPH GLIATTA**, was lawfully in/on Defendant, **AW BOCA CLINIC, LLC**, premises as a business invitee. Said premises is located at 1601 Clint Moore Road, Boca Raton, FL, when he fell due to the flooring/ground in and on the parking lot, curb and sidewalk threshold. The substance, material(s) create a hazard which caused Plaintiff to fall and become injured.

9. That Defendant, **AW BOCA CLINIC, LLC**, owed a duty to its business invitees to provide a reasonably safe environment.

10. That through its agents, servants, contractors, sub-contractors, agents, and/or employees Defendant, **AW BOCA CLINIC, LLC**, breached its duty owed to Plaintiff, **JOSEPH GLIATTA**, to maintain the premises in a reasonably safe manner:

- a. By allowing by and/or failing to correct the hazard or obstruct the pathway(s) of the around the premises and creating a hazard/danger to business invitees like the Plaintiff including the failure to correct the hazard or allowing the hazard to remain.
- b. By failing to warn Plaintiff, **JOSEPH GLIATTA**, of the dangerous condition that existed at the time of the incident.; and/or
- c. By failing to place barricades, caution signs, or other marking devices utilized to alert business invitees such as Plaintiff, **JOSEPH GLIATTA**, of the dangerous condition that existed at the time of the incident.; and/or
- d. By failing to secure, conceal, remove or otherwise correct, the substance/hazard caused by substance on the parking lot, curb and sidewalk on the premises prior to the time of Plaintiff's fall.; and/or
- e. By failing to correct the dangerous conditions on the premises that posed a danger to business invitees such as Plaintiff, **JOSEPH GLIATTA**, when Defendant **AW BOCA CLINIC, LLC**, knew the dangerous condition existed prior to the time of the incident.; and/or
- f. By failing to correct the dangerous conditions on the premises that posed a danger to business invitees such as Plaintiff, **JOSEPH GLIATTA**, when Defendant, **AW BOCA CLINIC, LLC**, should have known the dangerous condition existed prior to the time of the incident;
- g. By failing to enact policies, training or countermeasures to protect Plaintiff, **JOSEPH GLIATTA**, from the dangerous condition, and/or
- h. Defendant, **AW BOCA CLINIC, LLC**, was otherwise negligent in the care, maintenance, and upkeep of the premises, and specifically by allowing a liquid substance to be left on the tiles/flooring so as to cause Plaintiff, **JOSEPH GLIATTA**, to be injured.

11. The dangerous condition existed for such a length of that time, in the exercise of ordinary care, the business establishment knew or should have known of the condition; and/or the dangerous condition occurred with regularity and was therefore foreseeable; and/or Defendant, **AW BOCA CLINIC, LLC**, had actual notice of the dangerous condition and failed to remedy it.

12. As a direct and proximate result of the aforementioned negligence of Defendant, Defendant, **AW BOCA CLINIC, LLC**, Plaintiff **JOSEPH GLIATTA**, suffered significant and severe bodily injury, resulting pain and suffering, disability, disfigurement, physical impairment, inconvenience, mental anguish, loss of capacity for the enjoyment of life, expense of medical care and treatment, and/or aggravation of a previously existing condition. These losses are either permanent or continuing in nature, and Plaintiff, **JOSEPH GLIATTA**, will suffer these losses in the future.

13. All conditions precedent have been satisfied, excused or waived.

WHEREFORE, Plaintiff, **JOSEPH GLIATTA**, respectfully demands judgment against Defendant, **AW BOCA CLINIC, LLC**, for damages, costs, and interest and all other relief this Court deems just and appropriate.

DEMAND FOR JURY TRIAL

Plaintiff further demands a trial by jury on all issues so triable as of right by jury.

Dated: May 4, 2026.

RUBENSTEIN LAW, P.A.

Attorneys for Plaintiff

9130 S Dadeland Blvd

Miami, Florida 33156

Tel: (305) 661-6000

Fax: (305) 670-7555

Email: jmirabelli@rubensteinlaw.com

dirodriguez@rubensteinlaw.com

eservice@rubensteinlaw.com

By: /s/ Justino Mirabelli

Justino Mirabelli

Florida Bar No.: 1065490