

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
BROWARD COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO.:

MATILDE LIMA DE ROSA,

Plaintiff,

v.

WALMART INC.,

Defendant.

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff, MATILDE LIMA DE ROSA, through the undersigned counsel, files this Complaint against Defendant, WALMART INC., and states as follows:

**PARTIES, JURISDICTION, AND VENUE**

1. This is an action for damages in excess of fifty thousand dollars (\$50,000.00) exclusive of interest, costs, and attorneys' fees, yet is uncertain whether it exceeds \$75,000.
2. Plaintiff is a resident of Broward County, Florida, and, at all times material hereto, was and is *sui juris*.
3. Defendant is a For Profit licensed to do business in the state of Florida.
4. Pursuant to section 47.011, Florida Statutes (2025), venue is proper in this Court because the cause of this action accrued in Broward County, Florida.
5. All conditions precedent to the filing of this lawsuit have occurred, been satisfied, been waived, or have otherwise been discharged or performed.

**COUNT I – NEGLIGENCE OF DEFENDANT,**  
**WALMART INC.**

6. Plaintiff re-adopts and re-alleges all of the allegations contained in Paragraphs 1 through 5 above as if fully set forth herein.
7. On or about November 24, 2025, Defendant owned, maintained, and/or operated the property located at or near 12800 Pines Blvd in Broward County, Florida, hereinafter referred to as “the premises.”
8. At that time and place, Plaintiff went onto said premises as a business invitee and thereupon was caused to be injured when a Walmart employee, while moving products with a cart, dropped a heavy box onto Plaintiff's foot. The employee's negligent handling of the heavy box, combined with the employee's failure to exercise due care while moving products in an area frequented by customers, created a dangerous condition which caused the heavy box to fall directly onto Plaintiff's foot, preventing normal foot movement and directly causing her injury.
9. Defendant, by or through its agents or servants (the negligence of which they are liable for), negligently caused Plaintiff to suffer injury by performing or failing to perform one or more of the following acts:
  - a. By carelessly and negligently failing to maintain the grounds on its premises in a reasonably safe condition, Defendant created a dangerous condition, to wit: a hazard to patrons who were ambulating on said premises, including, specifically, the Plaintiff; and
  - b. By failing to correct a dangerous condition of which it knew or should have known by the use of reasonable care, to wit: a hazard to patrons who were ambulating on said premises, including, specifically, the Plaintiff; and
  - c. By negligently failing to warn the Plaintiff of a dangerous condition (a hazard to patrons who were ambulating on said premises) concerning which Defendant had, or should have had, greater knowledge than that of the Plaintiff.
  - d. Defendant created a dangerous condition, to wit: a hazard to

patrons who were ambulating on said premises, including, specifically, the Plaintiff;

- e. The condition occurred with such regularity that Defendant knew or should have known of its existence.

10. As a direct and proximate result of Defendant's commission of one or more of the negligent acts or omissions set forth above in 9(a-e), Plaintiff suffered bodily injury resulting in pain and suffering, disability, disfigurement, mental anguish, aggravation and/or acceleration of pre-existing condition(s), loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earnings, and the loss of ability to earn money in the past and in the future. The losses are either permanent or continuing in nature, and Plaintiff will suffer the losses in the future.

**DEMAND FOR JURY TRIAL**

WHEREFORE, Plaintiff, MATILDE LIMA DE ROSA, demands a trial by jury and a judgment against Defendant, WALMART INC, for damages, costs of this action, and for any other further equitable and legal relief this Court may deem appropriate. This Complaint is served with a Summons and Notice of Designation of Email Address.

Dated: June 30, 2026.

**WOLFSON & LEON**

*Attorneys for Plaintiff*

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By:       /s/ Sarina I. Caskill      

**SARINA I. CASKILL, ESQ.**

FLA. BAR NO.: 1069546