

4.1.14 # 7

TO: The Honorable Chairman and Members of the
Board of County Commissioners

FROM: James L. Bennett, County Attorney *JLB*

SUBJECT: Notice of New Lawsuit and Defense of the Same by the County Attorney
in the Case of Nicolina Gontarz v. Pinellas Board of County Commissioners
Circuit Civil Case No. 14-001538-CI-15

DATE: April 1, 2014

NOTICE: THIS IS TO ADVISE THE BOARD OF COUNTY COMMISSIONERS THAT THE ABOVE-REFERENCED LAWSUIT WAS FILED AGAINST THE COUNTY AND THE COUNTY ATTORNEY'S OFFICE WILL DEFEND THE SAME.

DISCUSSION: Plaintiff alleges that on or about November 16, 2010, she tripped and fell on a raised board on the boardwalk located at the Florida Botanical Gardens. Plaintiff alleges that the County failed to maintain the property, permitted a dangerous condition to exist, and failed to warn of the dangerous condition. Plaintiff alleges she sustained personal injuries as a result of the fall.

The County Attorney's Office will bring all counterclaims, cross-claims, or third party claims as necessary or appropriate in the judgment of the County Attorney.

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