

IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

ERIKA JARMILA THOMAS,

Plaintiff,

v.

BRIAN LEE SHECHTMAN,

CIVIL DIVISION

Defendant.

CASE NO.:

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COMPLAINT FOR DAMAGES AND DEMAND FOR JURY TRIAL

The Plaintiff, **Erika Jarmila Thomas**, by and through the undersigned counsel, sues the Defendant, **Brian Lee Shechtman**, and alleges:

ALLEGATIONS COMMON TO ALL COUNTS

1. That this is an action for damages in excess of Fifty Thousand Dollars (\$50,000.00) exclusive of interests and costs, and otherwise within the jurisdictional limits of this Court.
2. At all times material hereto, the Plaintiff, **Erika Jarmila Thomas**, was and is a resident of Miami-Dade County, Florida, and is otherwise *sui juris*.
3. At all times material hereto, the Defendant, **Brian Lee Shechtman**, was and is a resident of Miami-Dade County, Florida, and is otherwise *sui juris*.
4. At all times material hereto, and specifically on or about October 15, 2022, Defendant **Brian Lee Shechtman**, owned and operated a vehicle at or near Southbound Interstate 95 & Northwest 81 Street, Miami-Dade County, Florida.

5. Venue is proper in this County in that all of the acts complained of herein occurred in Miami-Dade County, Florida.

COUNT I - NEGLIGENCE CLAIM AGAINST BRIAN LEE SHECHTMAN

Plaintiff re-alleges and restates the allegations in paragraphs 1 through 5 as if fully set forth herein.

6. At all times material hereto, Defendant, **Brian Lee Shechtman**, had the duty to operate and/or maintain her motor vehicle in a safe and reasonable manner and to keep control of the vehicle so that it would not collide with any other vehicles or pedestrians.

7. That on or about October 15, 2022, Defendant, **Brian Lee Shechtman**, carelessly and/or negligently operated and/or maintained her motor vehicle so as to cause it to collide with the vehicle being operated by Plaintiff, **Erika Jarmila Thomas**.

8. As a direct and proximate result of the negligence of Defendant, **Brian Lee Shechtman**, the Plaintiff, **Erika Jarmila Thomas**, suffered significant and severe bodily injury that is permanent within a reasonable degree of medical probability, along with resulting pain and suffering, disability, aggravation of pre-existing injuries, scarring and/or disfigurement, physical impairment, inconvenience, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earnings and loss of ability to earn money in the future. The losses are either permanent or continuing in nature and the Plaintiff, **Erika Jarmila Thomas**, will suffer the losses in the future.

WHEREFORE, the Plaintiff, **Erika Jarmila Thomas**, respectfully demands judgment against Defendant, **Brian Lee Shechtman**, for damages, costs, and interest and all other relief this Court deems just and appropriate.

DEMAND FOR JURY TRIAL

Plaintiff, **Erika Jarmila Thomas**, further demands a trial by jury on all issues so triable as of right by jury.

Dated: March 20, 2023

RUBENSTEIN LAW, P.A.

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