

IN THE CIRCUIT COURT OF THE  
EIGHTH JUDICIAL CIRCUIT IN  
AND FOR ALACHUA COUNTY,  
FLORIDA

CASE NO.: 08CA2078  
DIVISION: K

BETTY LONG,  
Plaintiff,  
v.  
GAINESVILLE REGIONAL UTILITIES,  
Defendant.

*Answer due  
6/11/08*

**SUMMONS**

To: Mr. Robert E. Hunzinger  
Gainesville Regional Utilities  
301 SE 4<sup>th</sup> Avenue  
Gainesville, FL 32602

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Persons with a disability who need any accommodation in order to participate should call Jan Phillips, ADA Coordinator, Alachua County Courthouse, 201 E. University Ave., Gainesville, FL 32601 at (352) 337-6237 within two (2) working days of your receipt of this notice; if you are hearing impaired call (800) 955-8771; if you are voice impaired, call (800) 955-8770.

THE STATE OF FLORIDA:  
To Each Sheriff of the State:

YOU ARE COMMANDED to serve this summons and a copy of the Complaint or petition in this action on the Defendant.

Each Defendant is required to serve written defenses to the Complaint or petition on James Globber, Plaintiff's attorney, whose address is 2119 Riverside Avenue, Suite 200, Jacksonville, Florida 32204, within 20 days after the service of this summons on that Defendant, exclusive of the day of service, and to file the original of the defenses with the Clerk of this Court either before service on the Plaintiff's attorney or immediately thereafter. If a Defendant fails to do so, a default will be entered against the Defendant for the relief demanded in the Complaint or petition.

DATED on 5/8, 2008.

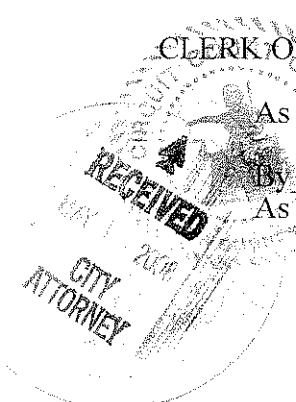
J.K. "BUDDY" IRBY  
CLERK OF THE CIRCUIT COURT

As Clerk of the Court

By Brenda Davis  
As Deputy Clerk

<sup>AI</sup>  
<sup>BY</sup>  
SADIE DARNELL, SHERIFF  
ALACHUA COUNTY, FLORIDA

Served at 1004 on the 012 Day  
of May, 2008  
BY C. Maden 248  
As Deputy Sheriff



**COPY**

IN THE CIRCUIT COURT OF THE  
EIGHTH JUDICIAL CIRCUIT IN  
AND FOR ALACHUA COUNTY,  
FLORIDA

CASE NO.: 08CA2078  
DIVISION: K

BETTY LONG,

Plaintiff,

v.

GAINESVILLE REGIONAL UTILITIES,

Defendant.

---

COMPLAINT

The Plaintiff, Betty Long, sues Defendant, Gainesville Regional Utilities, a utility owned by the City of Gainesville, Florida, and alleges the following:

1. This is an action for damages in excess of \$15,000, exclusive of interest and costs.
2. Defendant, Gainesville Regional Utilities (GRU), is a utility owned by the City of Gainesville, Florida with its headquarters in Gainesville, Alachua County, Florida.
3. Plaintiff, Betty Long (Long), is a resident of Alachua County, Florida.
4. On or about September 2, 2005, Long was a customer of GRU.
5. On the above date, Long went to the GRU administrative office located at 301 S.E. 4<sup>th</sup> Avenue in Gainesville, Alachua County, Florida for the purpose of paying her bill.
6. Long entered the GRU facility and paid her bill.
7. After exiting the GRU facility, Long attempted to descend the stairs outside of the GRU building, on premises controlled by GRU.
8. As she attempted to descend the stairs, Long was a business invitee of GRU within the

meaning of Florida statutes and case law, as she had come upon the GRU premises for the purpose of conducting business with GRU.

9. As she attempted to descend the stairs, Long slipped and fell down the stairs.

10. GRU owed to Long, a duty of exercising reasonable care in keeping its premises in a reasonably safe condition and of warning Long of hidden dangers of which GRU was aware or which had been in existence for such a period of time that GRU reasonably should have been aware of them, had GRU been reasonably careful, and which were not open and obvious to Long.

11. GRU breached its duty of care to Long in ways including, but not limited to the following:

- a. GRU allowed the steps, which were constructed of bricks, to become unreasonably slippery due to an accumulation of a slick substance that was green in color and appeared to be moss;
- b. GRU allowed the only handrail in the vicinity to become so loose that it would not assist one in descending stairs and actually threatened to come out of its moorings and become a danger to anyone using it;
- c. GRU did not have a sufficient number of handrails on its stairs in the vicinity of Long's fall, thereby leaving a large area of stairs with no handrails for pedestrians to grasp while using the stairs;
- d. GRU did not place a traction device on the stairs, under circumstances where such device would be necessary to prevent the stairs from becoming unreasonably slippery;
- e. GRU did not warn of the slippery nature of the stairs; and

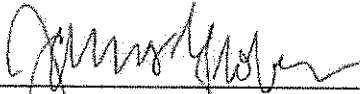
f. Other acts and omissions of negligence.

12. As a result, Long 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, loss of earnings, loss of ability to earn money, and aggravation of a previously existing condition. The losses are either permanent or continuing and Long will suffer the losses in the future. Long suffered a permanent injury within a reasonable degree of medical probability.

13. Long has satisfied all conditions precedent to filing this action, including but not limited to the notice provisions of 768.28, Florida Statutes, or Defendant has waived such conditions. Copies of proof of notice to both Defendants is attached as Composite Exhibit A.

14. Section 768.28, Florida Statutes creates a limited waiver of sovereign immunity by Defendants for negligence actions such as this.

WHEREFORE, Plaintiff, Betty Long demands judgment for damages, pre-judgment interest and costs against Defendant, Gainesville Regional Utilities, and demands trial by jury on all issues so triable.

  
By: James Glober, Esquire  
2119 Riverside Avenue  
Suite 200  
Jacksonville, FL 32204  
(904) 633-9999  
Fax (904) 388-0968  
Florida Bar No.: 612359  
ATTORNEY FOR PLAINTIFF