

LEGISTAR NO.

150628

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

ANNE HAISLEY
and PHILLIP HAISLEY,

Plaintiffs,

vs.

THE CITY OF GAINESVILLE, FL,

Defendant.

CASE NO.: 01 2015 CA 4286

DIVISION: K (Brasington)

COMPLAINT FOR NEGLIGENCE

Plaintiffs, ANNE HAISLEY (herein referred to as “Mrs. Haisley”) and her husband, PHILLIP HAISLEY (herein referred to as “Mr. Haisley”), sue Defendant, the CITY OF GAINESVILLE, a Florida municipal corporation (herein referred to as “City”), and allege:

COUNT I - NEGLIGENCE

1. This is an action for damages which exceed FIFTEEN THOUSAND DOLLARS (\$15,000.00), exclusive of costs and attorney’s fees.
2. On December 3, 2012, the City was the owner and in possession of the Ironwood Golf Club facility, including a main clubhouse and parking lot, located in Gainesville, Alachua County, Florida (herein referred to as “Property”).
3. At that time and place, Mrs. Haisley went on the Property, in particular, the main clubhouse, to attend an event sponsored by the Gator Dugout Club.

4. The City had a duty to maintain the Property in a condition which allowed members of the public, including Mrs. Haisley, safe egress from the main clubhouse into the parking lot.

5. The City breached this duty by negligently maintaining the entrance way to the main clubhouse by, among other things, not having any outside lighting to allow members of the public, including Mrs. Haisley, to safely exit the main clubhouse and proceed to the parking lot causing Mrs. Haisley to fall on the Property.

6. The negligent condition was known to the City or had existed for a sufficient length of time so that the City should have known of it.

7. As a result of the City's negligence, Mrs. Haisley was injured in and about her body and extremities, suffered pain therefrom, incurred medical expense in the treatment of the injuries, and suffered physical handicap, and her ability to ambulate has been impaired; these injuries are either permanent or continuing in nature and Mrs. Haisley will suffer losses and impairment in the future including, but not limited to, future pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, medical and nursing care and treatment.

WHEREFORE, Plaintiffs, ANNE HAISLEY and PHILLIP HAISLEY, demand judgment against Defendant, THE CITY OF GAINESVILLE, for damages, costs of this action and such other relief as this Court may deem just and proper under the circumstances, and a trial by jury on all issues so triable.

COUNT II – LOSS OF CONSORTIUM

8. Plaintiff, Mr. Haisley, readopts and realleges the allegations in paragraphs 1 through 7 above as if fully set forth herein.

9. At the time and date of the fall described in paragraphs 4 and 5 above, Mr. Haisley was married to Mrs. Haisley and they continue to be married.

10. As a result of the injuries sustained by Mrs. Haisley, she was admitted for in-patient care and in-patient rehabilitation due to the severity of her injuries.

11. As a result of the severe injuries sustained by Mrs. Haisley, Mr. Haisley lost the support, consortium, and companionship of his wife, who was (as is) his main caregiver.

WHEREFORE, Plaintiff, Phillip Haisley, demands judgment against the City of Gainesville, the costs of this action and such other relief as this Court may deem just and proper under the circumstances, and a trial by jury on all issues so triable.

DATED this 1st day of December 2015.

ROBERT A. RUSH, P.A.

BY: /s/ Marian B. Rush

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