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IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR
PALM BEACH COUNTY, FLORIDA

YUVITKZA QUINONES, an individual,

Plaintiff,

CASE NUMBER:

vs.

CHIPOTLE MEXICAN GRILL, INC., a Foreign
Profit Corporation, CHIPOTLE MEXICAN
GRILL OF COLORADO, LLC, a Foreign Limited
Liability Company, and CHIPOTLE SERVICES,
LLC, a Foreign Limited Liability Company,

Defendants.

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, YUVITKZA QUINONES, an individual ("Plaintiff"), by and through the undersigned counsel, hereby files this Complaint and Demand for Jury Trial and sues CHIPOTLE MEXICAN GRILL, INC., a Foreign Profit Corporation, CHIPOTLE MEXICAN GRILL OF COLORADO, LLC, a Foreign Profit Corporation, and CHIPOTLE SERVICES, LLC, a Foreign Profit Corporation, (collectively "Defendants") and alleges as follows:

GENERAL ALLEGATIONS

1. This action seeks damages in excess of \$15,000.00, exclusive of interest, court costs, and attorneys' fees, and is therefore within the jurisdiction of this Honorable Court.
2. At all times material hereto, Plaintiff is a resident of Palm Beach County, Florida and is otherwise *sui juris*.
3. At all material times hereto, and upon information and belief, Defendant, CHIPOTLE MEXICAN GRILL, INC., is a Foreign for Profit Corporation with its principal address located at 1401 Wynkoop Street, Suite 500, Denver, CO 80202.

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4. At all material times hereto, and upon information and belief, Defendant, CHIPOTLE MEXICAN GRILL OF COLORADO, LLC, is a Foreign Limited Liability Company with its principal address located at 1401 Wynkoop Street, Suite 500, Denver, CO 80202.
5. At all material times hereto, and upon information and belief, Defendant, CHIPOTLE SERVICES, LLC, is a Foreign Limited Liability Company with its principal address located at 1401 Wynkoop Street, Suite 500, Denver, CO 80202.
6. On or about August 2, 2014, and at all times material hereto, Defendants owned, maintained, managed, operated, and/or controlled the property located at and/or near 9930 Glades Road., Boca Raton, Florida 33428 (hereinafter referred to as the "Subject Premises").
7. On or about August 2, 2014, Plaintiff was lawfully on the Subject Premises.
8. On or about August 2, 2014, Plaintiff was walking in a designated walk-way on the Subject Premises when she was caused to fall due to a foreign substance on the floor, sustaining severe injuries (hereinafter referred to as "Subject Incident").
9. The acts complained of and giving rise to this action occurred in Palm Beach County, Florida; therefore, venue is proper in this Court pursuant to Florida Statute § 47.011.
10. This Honorable Court has jurisdiction over Defendants because, among other things, Defendants: operate, conduct, engage in, or carry on a business venture in Florida and/or have an office in Florida, have committed tortious acts within Florida, and have engaged in substantial and not isolated activity within Florida. See Fla. Stat. § 48.193.
11. All conditions precedent to this action have been satisfied, waived, or otherwise excused.

COUNT I – NEGLIGENCE
(CHIPOTLE MEXICAN GRILL, INC.)

12. Plaintiff realleges and incorporates herein the allegations contained in paragraphs 1 through 11 above as if fully set forth herein.
13. At all times material hereto, Defendant, CHIPOTLE MEXICAN GRILL, INC., (“Defendant”), had a duty to exercise reasonable care make, keep, and/or maintain the Subject Premises in a reasonably safe condition for invitees and persons lawfully on said premises, including Plaintiff.
14. At all times material hereto, Defendant further had a duty to not create and/or allow to exist a dangerous condition.
15. At all times material hereto, Defendant had a duty to give notice and/or warn invitees and persons lawfully on the Subject Premises – including the Plaintiff – of any dangerous conditions on the Subject Premises.
16. At all times material hereto, Plaintiff was injured due to a dangerous condition on the Subject Premises.
17. Defendant negligently and carelessly kept, owned, controlled, and/or maintained the Subject Premises.
18. At all times material hereto, Defendant, CHIPOTLE MEXICAN GRILL, INC., by and through their employees, agents, servants and/or representatives, knew or, in the exercise of reasonable care, should have known, that the unsafe condition on the Subject Premises presented a safety hazard to those lawfully on the premises – including the Plaintiff – and that such hazards could reasonably lead to serious personal injuries if adequate precautions were not taken to warn or protect those lawfully on the premises.
19. The negligent and/or dangerous condition was known by Defendant and/or had existed for a sufficient length of time so that Defendant should have known of it.

20. Defendant breached its duty of care owed to Plaintiff and was negligent in one or more of the following ways – that include, but are not limited to:
- a. Failing to properly maintain the Subject Premises in a reasonably safe condition and/or to correct any and all dangerous conditions of which the Defendant either knew or should have known of by the use of reasonable care.
 - b. Failing to take actions to reduce, minimize, or eliminate foreseeable risks on the Subject Premises.
 - c. Failing to remove foreign and/or liquid substances.
 - d. Failing to rid the Subject Premises of dangerous condition.
 - e. Failing to properly inspect the Subject Premises.
 - f. Failing to warn Plaintiff of the dangerous condition.
 - g. Failing to block, isolate, warn or otherwise prevent persons including the Plaintiff from being harmed by the dangerous condition.
 - h. Allowing a condition to occur with such regularity so that it was foreseeable.
 - i. Other such negligence which is the proximate cause of the Subject Incident herein.
 - j. Other acts and/or omissions yet to be determined and/or to be determined through discovery and/or at trial.
21. As a direct and proximate result thereof, Plaintiff, YUVITKZA QUINONES, has suffered bodily injury and resulting pain and suffering, disability, mental anguish, loss of capacity for the enjoyment of life, hospitalization, medical and nursing care and treatment, loss of earnings, and loss of ability to earn money into the future and/or aggravation of a previously existing condition. These losses are either permanent or continuing and the Plaintiff will suffer the losses in the future.

WHEREFORE Plaintiff, YUVITKZA QUINONES, demands judgment for damages against Defendant, CHIPOTLE MEXICAN GRILL, INC., together with costs, interest, and any such other and further relieve that this Honorable Court deems just and proper

COUNT II – NEGLIGENCE
(CHIPOTLE MEXICAN GRILL OF COLORADO, LLC)

22. Plaintiff realleges and incorporates herein the allegations contained in paragraphs 1 through 11 above as if fully set forth herein.
23. At all times material hereto, Defendant, CHIPOTLE MEXICAN GRILL OF COLORADO, LLC (“Defendant”), had a duty to exercise reasonable care make, keep, and/or maintain the Subject Premises in a reasonably safe condition for invitees and persons lawfully on said premises, including Plaintiff.
24. At all times material hereto, Defendant further had a duty to not create and/or allow to exist a dangerous condition.
25. At all times material hereto, Defendant had a duty to give notice and/or warn invitees and persons lawfully on the Subject Premises – including the Plaintiff – of any dangerous conditions on the Subject Premises.
26. At all times material hereto, Plaintiff was injured due to a dangerous condition on the Subject Premises.
27. Defendant negligently and carelessly kept, owned, controlled, and/or maintained the Subject Premises.
28. At all times material hereto, Defendant, CHIPOTLE MEXICAN GRILL OF COLORADO, LLC, by and through their employees, agents, servants and/or representatives, knew or, in the exercise of reasonable care, should have known, that the unsafe condition on the Subject Premises presented a safety hazard to those lawfully on the premises – including

the Plaintiff – and that such hazards could reasonably lead to serious personal injuries if adequate precautions were not taken to warn or protect those lawfully on the premises.

29. The negligent and/or dangerous condition was known by Defendant and/or had existed for a sufficient length of time so that Defendant should have known of it.

30. Defendant breached its duty of care owed to Plaintiff and was negligent in one or more of the following ways – that include, but are not limited to:

- a. Failing to properly maintain the Subject Premises in a reasonably safe condition and/or to correct any and all dangerous conditions of which the Defendant either knew or should have known of by the use of reasonable care.
- b. Failing to take actions to reduce, minimize, or eliminate foreseeable risks on the Subject Premises.
- c. Failing to remove foreign and/or liquid substances.
- d. Failing to rid the Subject Premises of dangerous condition.
- e. Failing to properly inspect the Subject Premises.
- f. Failing to warn Plaintiff of the dangerous condition.
- g. Failing to block, isolate, warn or otherwise prevent persons including the Plaintiff from being harmed by the dangerous condition.
- h. Allowing a condition to occur with such regularity so that it was foreseeable.
- i. Other such negligence which is the proximate cause of the Subject Incident herein.
- j. Other acts and/or omissions yet to be determined and/or to be determined through discovery and/or at trial.

31. As a direct and proximate result thereof, Plaintiff, YUVITKZA QUINONES, has suffered bodily injury and resulting pain and suffering, disability, mental anguish, loss of capacity for the enjoyment of life, hospitalization, medical and nursing care and treatment, loss of

earnings, and loss of ability to earn money into the future and/or aggravation of a previously existing condition. These losses are either permanent or continuing and the Plaintiff will suffer the losses in the future.

WHEREFORE Plaintiff, YUVITKZA QUINONES, demands judgment for damages against Defendant, CHIPOTLE MEXICAN GRILL OF COLORADO, LLC, together with costs, interest, and any such other and further relieve that this Honorable Court deems just and proper.

COUNT III – NEGLIGENCE
(CHIPOTLE SERVICES, LLC)

32. Plaintiff realleges and incorporates herein the allegations contained in paragraphs 1 through 11 above as if fully set forth herein.
33. At all times material hereto, Defendant, CHIPOTLE SERVICES, LLC, (“Defendant”), had a duty to exercise reasonable care make, keep, and/or maintain the Subject Premises in a reasonably safe condition for invitees and persons lawfully on said premises, including Plaintiff.
34. At all times material hereto, Defendant further had a duty to not create and/or allow to exist a dangerous condition.
35. At all times material hereto, Defendant had a duty to give notice and/or warn invitees and persons lawfully on the Subject Premises – including the Plaintiff – of any dangerous conditions on the Subject Premises.
36. At all times material hereto, Plaintiff was injured due to a dangerous condition on the Subject Premises.
37. Defendant negligently and carelessly kept, owned, controlled, and/or maintained the Subject Premises.

38. At all times material hereto, Defendant, CHIPOTLE SERVICES, LLC, by and through their employees, agents, servants and/or representatives, knew or, in the exercise of reasonable care, should have known, that the unsafe condition on the Subject Premises presented a safety hazard to those lawfully on the premises – including the Plaintiff – and that such hazards could reasonably lead to serious personal injuries if adequate precautions were not taken to warn or protect those lawfully on the premises.
39. The negligent and/or dangerous condition was known by Defendant and/or had existed for a sufficient length of time so that Defendant should have known of it.
40. Defendant breached its duty of care owed to Plaintiff and was negligent in one or more of the following ways – that include, but are not limited to:
- a. Failing to properly maintain the Subject Premises in a reasonably safe condition and/or to correct any and all dangerous conditions of which the Defendant either knew or should have known of by the use of reasonable care.
 - b. Failing to take actions to reduce, minimize, or eliminate foreseeable risks on the Subject Premises.
 - c. Failing to remove foreign and/or liquid substances.
 - d. Failing to rid the Subject Premises of dangerous condition.
 - e. Failing to properly inspect the Subject Premises.
 - f. Failing to warn Plaintiff of the dangerous condition.
 - g. Failing to block, isolate, warn or otherwise prevent persons including the Plaintiff from being harmed by the dangerous condition.
 - h. Allowing a condition to occur with such regularity so that it was foreseeable.
 - i. Other such negligence which is the proximate cause of the Subject Incident herein.

- j. Other acts and/or omissions yet to be determined and/or to be determined through discovery and/or at trial.
41. As a direct and proximate result thereof, Plaintiff, YUVITKZA QUINONES, has suffered bodily injury and resulting pain and suffering, disability, mental anguish, loss of capacity for the enjoyment of life, hospitalization, medical and nursing care and treatment, loss of earnings, and loss of ability to earn money into the future and/or aggravation of a previously existing condition. These losses are either permanent or continuing and the Plaintiff will suffer the losses in the future.

WHEREFORE Plaintiff, YUVITKZA QUINONES, demands judgment for damages against Defendant, CHIPOTLE SERVICES, LLC, together with costs, interest, and any such other and further relieve that this Honorable Court deems just and proper.

DEMAND FOR JURY TRIAL

42. Plaintiff hereby demands a trial by jury of all issues so triable as a matter of right by law.

DATED: October 13, 2016.

Respectfully submitted,

SHINER LAW GROUP, P.A.

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