

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

JUDY RODRIGO

CASE NO: **502009 CA 038996 XXXX MB**

Plaintiff

v.

KEYSTONE CONDOMINIUM
ASSOCIATION, INC

Defendant

COMPLAINT

Plaintiff, JUDY RODRIGO, sues Defendant, KEYSTONE CONDOMINIUM
ASSOCIATION, INC. and says:

1. This is an action for damages in excess of \$15,000
2. At all times material hereto, plaintiff was a resident of Palm Beach County Florida.
3. At all times material hereto, defendant was a Florida condominium association located in Jupiter, Florida.
4. At all times material hereto, Plaintiff owned a condominium Unit 1001F Keystone Dr., Jupiter, FL 33458.
5. JUDY RODRIGO suffered damages arising out of a sudden event that occurred on or about October 6, 7 or 8, 2007 in an adjoining unit where the adjoining unit owner had passed away, without knowledge of the other occupants of the condominium. The adjoining unit owner's body exploded thereby causing blood and bodily fluids to go into the Plaintiff's adjoining condominium which included damage to property that was the repair and insuring obligation of Defendant pursuant to Florida Statutes. The Association is responsible for maintaining insurance regarding damage to the unit that is included within the insuring obligation under the condominium documents. condominium act and Florida Statute F.S. 718.111 (11)(a).

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6. Defendant failed to properly insure the Plaintiff's unit damaged by the subject loss and/or elected to purchase a policy with a deductible that did not cover her entire loss.

7. Plaintiff notified defendant of the damage for each loss and requested that they repair the portion of her unit that is part of the common elements of the subject condominium or within the insuring obligation of the association.

8. Defendant failed to timely make the all the repairs needed to remove the biohazard created by the bodily fluids and the resulting odor and has refused to reimburse Plaintiff for the cost of repairs.

9. As a result, plaintiff has suffered damages to her condominium unit, personal property and injury to her person from exposure to the conditions of the unrepaired unit. Additionally, plaintiff has been unable to live in the unit and has incurred other consequential damages from not being able to use her unit.

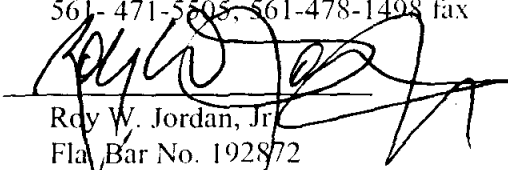
10. Plaintiff has retained the services of the undersigned counsel and is entitled to recovery of reasonable attorney's fees for bringing this action. Plaintiff is entitled to recover those damages under §718.303.

WHEREFORE, plaintiff demands judgment for damages against defendant plus prejudgment interest, costs, and attorneys fees. A TRIAL BY JURY IS HEREBY DEMANDED ON ALL ISSUES SO TRIABLE.

Dated November 17, 2009.

ROY W. JORDAN, JR., P.A.
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West Palm Beach, FL 33401
561-471-5505, 561-478-1498 fax

By


Roy W. Jordan, Jr.
Fla. Bar No. 192872
Attorney for Plaintiff