

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

DEBRA DAVIS,)	CASE NO.:
)	
Plaintiff,)	
)	
v.)	COMPLAINT
)	(AT LAW)
AJV PROPERTIES LLC, a limited)	
liability company,)	
)	
Defendant.)	

COMES NOW Debra Davis, Plaintiff herein, and for her cause of action against the Defendant, AJV Properties LLC, states and alleges as follows:

I.

Plaintiff is a resident of Omaha, Douglas County, Nebraska. Defendant is a limited liability company organized under the laws of the State of Nebraska with its principal place of business in Omaha, Douglas County, Nebraska. At all pertinent times herein, Defendant was the owner of the premises where the accident in suit occurred. The accident in suit occurred in Douglas County, Nebraska.

II.

On or about February 17, 2016 Plaintiff was an invited guest on the premises of the Florentine Apartments located at 2237 Benson Gardens Boulevard in Omaha, Nebraska. At all times pertinent herein, Defendant was the owner of and responsible for maintaining the exterior grounds of the Florentine Apartments. Said exterior maintenance included but was not limited to snow and ice removal from the common areas of the premises including sidewalks.

III.

On or about February 17, 2016 Plaintiff was walking on the sidewalk in the court yard of the Florentine Apartments when she encountered ice on the sidewalk which

caused her to slip and fall to the ground. The sidewalk in question posed an unreasonable risk of harm to the pedestrians using it due to the formation of ice left untreated and for which no warning was posted. Defendant knew of the icy conditions of the sidewalk where Plaintiff fell because its employee had been notified previously of the icy condition by a tenant and yet failed to treat the icy condition of the sidewalk. Had the Defendant treated the icy sidewalk when its employee was notified of the hazardous condition, it would have rendered the sidewalk safe. Plaintiff's fall caused injuries and damages to the Plaintiff as more specifically set out below.

IV.

Plaintiff's injuries and damages were directly and proximately caused by the negligence of the Defendant in one or more of the following particulars, to-wit:

- a) In failing to warn pedestrians of the presence of ice on the sidewalk;
- b) In failing to treat the sidewalk with salt, sand, and or other chemicals; and
- c) In failing to maintain the sidewalk in a clean and safe condition contrary to Neb.Rev.Stat. § 76-1419 (1).

V.

As a result of her fall, Plaintiff sustained injuries to her left arm consisting of fractures to her distal radius and ulna along with damage to her ligaments and tendons. Plaintiff's injuries required her to undergo surgery to insert screws and a plate into Plaintiff's arm to immobilize her fractures. Plaintiff's injuries have caused her pain, disability, mental and emotional anguish, lost wages, medical expenses in the amount of \$18,000.00, and will continue to cause her pain, disability, mental and emotional anguish, medical expense and loss of earning capacity for the rest of her life.

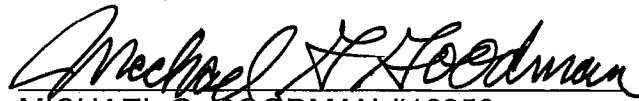
WHEREFORE, Plaintiff prays for judgment against the Defendant in the amount of her medical expenses of \$18,000.00 plus an additional amount for her general

damages, future special damages, and for her court costs expended herein.

Dated this 7th day of April, 2016.

DEBRA DAVIS, Plaintiff

BY:



MICHAEL G. GOODMAN #16250
MICHAEL G. GOODMAN, P.C., L.L.O.
3717 Harney Street
Omaha, Nebraska 68131
(402) 341-1211

ATTORNEY FOR PLAINTIFF

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

DEBRA DAVIS, an individual)	CASE NO.:
)	
Plaintiff,)	
)	
v.)	PRAECIPE FOR SUMMONS
)	
AJV PROPERTIES LLC, a limited)	
liability corporation,)	
)	
Defendant.)	

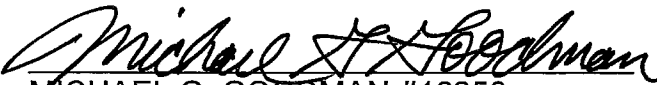
TO THE CLERK OF SAID COURT:

Please issue a summons for certified mail service upon the Defendant as follows:

Thomas Malicki
8712 W. Dodge Road, Suite 300
Omaha, NE 68114

Summons to be emailed to Plaintiff's attorney at mgg130@yahoo.com.

DEBRA DAVIS, Plaintiff

BY: 
MICHAEL G. GOODMAN #16250
MICHAEL G. GOODMAN, P.C., L.L.O.
3717 Harney Street
Omaha, Nebraska 68131
(402) 341-1211

ATTORNEY FOR PLAINTIFF