

**Form 2:130 Complaint – Strict Liability; Negligence**

IN THE CIRCUIT COURT OF THE  
## JUDICIAL CIRCUIT IN AND FOR  
[COUNTY], FLORIDA

GENERAL JURISDICTION DIVISION  
Case No.:

[PLAINTIFF],

Plaintiff,

v.

[DEFENDANT],  
a foreign corporation,

Defendant.

---

**COMPLAINT**

[PLAINTIFF], as and for her Complaint against [DEFENDANT] alleges as follows

**INTRODUCTION**

1. This action seeks damages and injunctive relief to redress Defendant's sale of defective [PRODUCT].

**THE PARTIES**

2. [PLAINTIFF] is a resident of [COUNTY], Florida, and is over the age of 18 years.

3. [DEFENDANT] is a foreign corporation conducting business in this county, throughout the state of Florida and the United States.

**JURISDICTION AND VENUE**

4. This Court has jurisdiction over this action because this complaint seeks damages in excess of \$15,000.00 dollars, exclusive of interest and attorneys' fees.

5. Venue is proper in this county because: (i) the conduct from which this cause of action arises occurred in this county; and (ii) Defendant transacts business here.

**SUBSTANTIVE ALLEGATIONS**

6. This action arises from Defendant’s course of conduct in designing, manufacturing, distributing, and selling defective [PRODUCT] which caused injury and damages to Plaintiff.

7. Plaintiff purchased [PRODUCT], which is sold by Defendant under the trade name “[PRODUCT]” (the “[PRODUCT]”).

8. The [PRODUCT] is purportedly manufactured for, and in accordance with the specifications of, Defendant by a company called [COMPANY], which is located in [COUNTRY].

9. The [PRODUCT] contains a defect that is present in the [PRODUCT] at the time of manufacture.

10. Defendant has placed the manufacturer on notice of the defects, but has failed to recall the [PRODUCT] or otherwise warn consumers or provide them with any remedy.

11. Plaintiff purchased [PRODUCT] on [DATE].

12. While and after [USING PRODUCT], Plaintiff suffered pain and discomfort, including [DESCRIBE PLAINTIFF’S INJURIES], and such pain and discomfort continue to this day.

**COUNT I**  
**(STRICT LIABILITY)**

13. Plaintiff repeats the allegations set forth above in paragraphs 1 through 12 as if set forth herein in full.

14. Defendant, at all times material to this action, designed, manufactured, distributed

and/or sold the [PRODUCT] and placed such product into the market.

15. The defective [PRODUCT] designed, manufactured, distributed, and/or sold by Defendant are defective and unreasonably dangerous.

16. The defective [PRODUCT] reached Plaintiff without substantial change in the condition in which the products were designed, manufactured, distributed, and/or sold by Defendant.

17. Defendant owed a duty of care to Plaintiff to manufacture, distribute and sell [PRODUCTS] that were free from defects and fit for their intended purposes.

18. Defendant breached this duty to Plaintiff by failing to sell [PRODUCTS] that were free from defects and unfit for their intended purposes.

19. Plaintiff used the [PRODUCT] in the manner that was intended and expected by Defendant.

20. The defect in the [PRODUCT] was the direct and proximate cause of the injury and damages suffered by Plaintiff.

**WHEREFORE**, Plaintiff demands compensatory damages for strict liability from Defendant.

**COUNT II**  
**(NEGLIGENCE)**

21. Plaintiff repeats the allegations set forth above in paragraphs 1 through 12 as if set forth herein in full.

22. Defendant owed a duty to Plaintiff to design, manufacture, distribute and/or sell [PRODUCTS] that were safe and to warn Plaintiff of any defects in the [PRODUCT].

23. Defendant breached its duty to Plaintiff by designing, manufacturing, distributing and/or selling [PRODUCTS] that were defective, and by failing to warn them of such defect.

24. Defendant's breach caused Plaintiff to suffer damages.

**WHEREFORE**, Plaintiff demands compensatory damages against Defendant for negligence and such other relief this Court deems just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury on all issues so triable by right.

DATED: [DATE]

Respectfully submitted,

407.722.7288 or NazarethLegal.com