

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT, IN AND FOR BROWARD COUNTY, FLORIDA

MARIO A. JURADO and GRETA JURADO, his wife,

Plaintiffs,

vs.

FORT LAUDERDALE HOSPITAL, INC. D/B/A FORT LAUDERDALE HOSPITAL, a Florida corporation

Defendant.

CASE NO.: 12-27302

FILED FOR RECORD  
CLERK OF CIRCUIT COURT  
BROWARD COUNTY FL  
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CIRCUIT CIVIL

COMPLAINT

**GENERAL ALLIGATIONS**

**COMES NOW** the Plaintiff, **MARIO A. JURADO and GRETA JURADO**, his wife, and through their undersigned counsel and sues the Defendant, **FORT LAUDERDALE HOSPITAL, INC. D/B/A/ FORT LAUDERDALE HOSPITAL**, a Florida corporation (herein after referred to as Hospital and alleges:

1. This is an action for damages that exceed \$15,000.00.
2. Plaintiffs MARIO A. JURADO and GRETA JURADO are residents of Broward County, Florida and are over the age of eighteen (18) years and is otherwise *sui juris*.
3. Plaintiffs MARIO A. JURADO and GRETA JURADO are husband and wife.
4. That the Defendant **FORT LAUDERDALE HOSPITAL, INC. D/B/A/ FORT LAUDERDALE HOSPITAL** is, and at all times material hereto, a corporation duly authorized to do business in the State of Florida and is doing business in Broward County, Florida.

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5. On April 1, 2011, the Defendant was in possession of a hospital at 1601 East Las Olas Blvd., Ft. Lauderdale, Florida, and was at that time, operating a mental health facility.
6. On or about April 1, 2011, the Plaintiff MARIO A. JURADO, was a patient at the Defendant's facility, and was at that time, under the care and supervision of the Defendant's agents, employees and/or apparent same.
7. On or about April 1, 2011, John Doe was a patient at Defendant, Hospital's facility.
8. On or about April 1, 2011, Joe Doe was being escorted by Defendant Hospital's personnel when he viciously attacked Plaintiff, MARIO JURADO.
9. On or about April 1, 2011, the Plaintiff MARIO A. JURADO was seriously injured at the Defendant's facility when he was assaulted and battered suffering serious head and facial injuries.

### **COUNT I**

### **NEGLIGENCE**

10. Plaintiffs' realleges and reavers all allegations 1 through 9 as set forth above.
11. That all times materials hereto Defendant had a duty to exercise reasonable care with respect to their patients and to protect and supervise all patients including Plaintiff, in a reasonable and safe manner.
12. That Defendant breached its duty of reasonable care as follows:
  - i. By failing to maintain and/or keep known violent patients away from others;

- ii. By failing to warn Plaintiff of any known dangers;
- iii. By failing to protect Plaintiff from other patients.
- iv. By failing to provide adequate security for patients.
- v. By failing to put in place adequate security for known violent patients.
- vi. By failing to provide a safe environment at a hospital for it's patients.

13. As a direct and proximate result of the aforesaid breach of the Defendant's, and its agents and/or employees reasonable care, Plaintiff MARIO A. JURADO, suffered bodily injury unnecessary, resulting in pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care. Said losses are either permanent or continuing and Plaintiff will suffer the losses in the future.

**WHEREFORE**, Plaintiff MARIO A. JURADO demands judgment for damages against the Defendant HOSPITAL plus court costs and further demands a trial by jury on all issues so triable.

## **COUNT II**

### **LOSS OF CONSORTIUM**

14. Plaintiffs reallege all allegations made in Paragraphs 1 through 9 as if fully set forth herein and further allege:

15. At all times material hereto, Plaintiff **GRETA JURADO** was lawfully married to the Plaintiff **MARIO A. JURADO**.

16. As a proximate cause of Defendants' negligence the Plaintiff **GRETA JURADO** has lost the consortium, incurred medical expenses and other services from her husband including but not limited to the loss of support, enjoyment of life, aid, companionship and the Plaintiff **GRETA JURADO** has had to care for her husband and has been unable to carry on her normal activities and pursuit in the enjoyment of life.

17. In addition, the Plaintiff **GRETA JURADO** has been caused mental pain and suffering for the serious injuries inflicted upon her husband from Defendants' negligence.

#### DEMAND FOR JURY TRIAL

The Plaintiff demands trial by jury for all issues so triable.

Dated: ~~September~~ <sup>October</sup> 1, 2011.

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