

IN THE CIRCUIT COURT FOR THE 19<sup>th</sup> JUDICIAL CIRCUIT  
IN AND FOR COUNTY OF ST. LUCIE, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO.:

TEAIRA NICOLE REED, as Personal Representative  
of the Estate of Tanya Renee Oliver, deceased

Plaintiff,

vs.

PRIDE OF ST LUCIE LODGE 1189, INC. dba  
Temple 853, previously dba as PRIDE OF SAINT  
LUCIE LODGE #1189, IBPOE OF W, INC., a  
Florida Not For Profit Corporation.

Defendant.

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

**COMES NOW** Plaintiff, TEAIRA NICOLE REED, as Personal Representative of the Estate of Tanya Renee Oliver, deceased, by and through the undersigned counsel, and sues Defendant, PRIDE OF ST LUCIE LODGE 1189, INC. d/b/a Temple 853, previously d/b/a as PRIDE OF SAINT LUCIE LODGE #1189, IBPOE OF W, INC., a Florida Not For Profit Corporation and as grounds therefore states:

**AS TO ALL COUNTS**

1. This is an action for damages in excess of \$15,000.00 exclusive of interest, costs and attorney's fees.
2. At all times material hereto, the Plaintiff TEAIRA NICOLE REED is a resident of Fort Pierce County, Florida and is the duly appointed personal representative of the Estate of Tanya Renee Oliver, deceased.

3. At all times material hereto, Defendant PRIDE OF ST LUCIE LODGE 1189, INC. d/b/a Temple 853, previously d/b/a as PRIDE OF SAINT LUCIE LODGE #1189, IBPOE OF W, INC., a Florida Not For Profit Corporation, [Hereinafter “LODGE 1189”] is and was a Florida Corporation with its principal place of business located at 2408 Avenue M. Ft. Pierce Florida.
4. On March 2, 2015 at approximately 1:30a.m. Tanya Renee Oliver was a patron and invitee upon the “Elks Lodge” premises owned, managed, maintained and/or controlled by LODGE 1189.
5. On March 2, 2015 at approximately 1:30a.m. Tanya Renee Oliver was criminally shot in the parking lot owned and/or controlled by LODGE 1189.
6. On July 5, 2016, Tanya Renee Oliver succumbed to her injuries from the shooting, died, and is survived by three daughters, Tiara Nicole Reed, Amber Oliver and Shanta Coffee.

**COUNT I NEGLIGENCE CLAIM AGAINST  
LODGE 1189**

7. The Plaintiff re-adopts and re-alleges all prior allegations contained in Paragraphs 1-6.
8. At all times material hereto, the Defendant, LODGE 1189 through its agents and employees, owed a duty to its invitees, patrons, and the public, to exercise reasonable and ordinary care to maintain its premises in a condition reasonably safe for use by its invitees, and the public. In particular, the Defendant had a duty to take such precautions as were reasonably necessary to protect its invitees, patrons, and the public, including the Plaintiff, TANYA RENEE OLIVER, from reasonably foreseeable criminal attacks on the premises.
9. At all times material hereto, the Defendant, LODGE 1189, through its agents and employees, knew or in the exercise of reasonable care should have known that their

premises, and areas adjacent thereto had suffered numerous criminal acts and attacks perpetrated on persons and property in said areas, and that violent crimes against persons were reasonably foreseeable on the Defendant's invitees, patrons and the public unless the Defendant took steps to provide proper security for such individuals.

10. At all times material hereto, the Defendant, LODGE 1189, through its agents and employees, knew or in the exercise of reasonable care should have known that numerous crimes against persons and property had occurred on the premises and/or areas adjacent thereto prior to March 2, 2015.
11. The Defendant, LODGE 1189, through its agents and employees, knew or in the exercise of reasonable care should have known that no individual, including the Plaintiff, TANYA RENEE OLIVER, had it within their power to take the measures necessary to provide for his or her own security on the premises.
12. As a result of the paragraphs above, at all material times the criminal attack of TANYA RENEE OLIVER was reasonably foreseeable, and the Defendant, LODGE 1189, was in a superior position to appreciate such dangers and take necessary steps to prevent harm to the invitees and patrons.
13. At the above mentioned time and place, the Defendant, LODGE 1189, by and through its agents and employees, for whom it is vicariously liable, breached its duty to exercise ordinary and reasonable care for the safety and protection of the invitees and patrons, including TANYA RENEE OLIVER, through the following acts of omission or commission:
  - A. Failing to provide adequate security for its patrons, invitees and the public, including the Plaintiff, TANYA RENEE OLIVER;

- B. Failing to warn its invitees, patrons and the public, including TANYA RENEE OLIVER, of the nature and character of the surrounding area when it knew or in the exercise of reasonable care should have known that numerous crimes against persons and property had occurred on the Defendant's premises prior to the herein incident;
- C. Failing to warn, protect, guard, and secure the safety of its invitees, patrons, and the public, including TANYA RENEE OLIVER when the Defendant knew or should have known that the subject premises had a history of violent criminal acts against persons or property being committed in the area, thereby creating a dangerous condition to those individuals on the property of LODGE 1189;
- D. Failing to police, patrol, guard, deter, and otherwise provide adequate protection for its invitees, patrons and the public, when Defendant knew or should have known of foreseeable criminal acts;
- E. Failing to hire and/or retain any private security personnel and/or off duty police officers to patrol and/or monitor the Defendant's LODGE 1189, premises, thereby protecting its invitees, patrons and the public, including TANYA RENEE OLIVER;
- F. Failing to have a sufficient number of security guards in visible areas to deter crime, thereby protecting its invitees, patrons and the public, including TANYA RENEE OLIVER;
- G. Failing to have an adequate number of security guards to protect its invitees, patrons and the public, including TANYA RENEE OLIVER;

- H. Failing to hire and/or retain competent security guards to protect its invitees, patrons and the public, including TANYA RENEE OLIVER;
- I. Failing to properly train security guards to be reasonably skillful, competent, and/or qualified to exercise appropriate and proper security measures so that they could protect its invitees, patrons and the public, including TANYA RENEE OLIVER;
- J. Failing to provide proper and sufficient lighting for the premises;
- K. Failing to have surveillance cameras in such locations throughout the premises, including but not limited to the exterior of buildings and parking lots;
- L. Failing to have an adequate number of surveillance cameras on the premises and surrounding areas, including but not limited to the areas of the premises where the instant incident occurred;
- M. Failing to position surveillance cameras in appropriate locations and surrounding areas where the Plaintiff was attacked, was adequately visually monitored, and/or said cameras would act as a deterrent against criminal activity;
- N. Failing to have and/or maintain surveillance cameras in working condition such that every camera was able to monitor and record activity;
- O. Failing to implement adequate security policies, security measures, and security procedures necessary to protect TANYA RENEE OLIVER and other invitees, patrons and members of the public;
- P. Failing to take additional security measures after being put on notice that the security measures in force were inadequate;

- Q. Failing to adequately provide an overall security plan that would meet the known industry standards and customs for safety in the community;
  - R. The preceding paragraphs "A" through "Q", individually and/or as a whole, represent deviations from the standard of care with regard to security as recognized by similar establishments.
14. The Defendant, LODGE 1189 through its agents and employees, failed to have any procedures governing the inspection, supervision, and/or security on the property where the subject incident occurred; or in the alternative,
- A. The Defendant, LODGE 1189 through its agents and employees, did in fact have procedures governing the inspection, supervision, and security of its property as a whole; however, the Defendant failed to implement said procedures; or in the alternative,
  - B. The Defendant, LODGE 1189 through its agents and employees, did have procedures governing the inspection, supervision, and security of its property as a whole but exercised the same in a careless and negligent manner.
15. At all material times, the Defendant, LODGE 1189 through its agents and employees, negligently failed to hire persons, employees, and/or agents reasonably suited for providing, implementing and maintaining proper security measures adequate to ensure the safety of its invitees, patrons and the public, including the areas of the subject premises where the subject incident occurred.
16. The Defendant, LODGE 1189 through its agents, servants, and employees, created and/or allowed to be created said dangerous conditions as stated above on the subject premises. Further, the Defendant failed to warn its invitees, patrons and the public, including but

not limited to TANYA RENEE OLIVER, of the existence of said dangerous conditions; or in the alternative, did allow said dangerous conditions to exist for a length of time sufficient in which a reasonable inspection would have disclosed the danger.

17. The negligence of the Defendant proximately caused injury to TANYA RENEE OLIVER, and directly led to the criminal attack of TANYA RENEE OLIVER, including her subsequent death which resulted from therefrom, in that:

A. There was inadequate and/or nonexistent visible deterrence to prevent said criminal assault.

B. There was inadequate and/or nonexistent physical deterrence to prevent said criminal assault.

C. Criminals could carry out physical assaults on the Defendant's premises without fear of being caught, discovered, and/or prosecuted.

D. An atmosphere was created at the Defendant's premises which facilitated the commission of crimes against persons.

18. As a direct and proximate result of the negligence of the Defendant, LODGE 1189, the Plaintiff, TANYA RENEE OLIVER, was the victim of a homicide.

19. TANYA RENEE OLIVER' estate and survivors have suffered and will continue to suffer damages into the future including, as authorized and allowed under the Wrongful Death Act, Section 768.16 et seq. Florida Statutes:

A. The past and future mental pain and suffering of TANYA RENEE OLIVER's daughters/survivors, Tiara Nicole Reed, Amber Oliver and Shanta Coffee;

B. Loss of the care, maintenance, support, services, companionship, advice, counsel, inheritance and other reasonable contributions of pecuniary and non-pecuniary

value that the decedent's daughters would have otherwise received during the decedent's life had it not been for her untimely, tragic and wrongful death;

- C. The expense of medical care and funeral arrangements arising from the injury and death of TANYA RENEE OLIVER;
- D. The prospective net accumulations of the Estate of TANYA RENEE OLIVER;  
and
- E. Any and all other damages which the applicable law allows.

WHEREFORE, the Plaintiff, TEAIRA NICOLE REED, sues the Defendant, PRIDE OF ST LUCIE LODGE 1189, INC. d/b/a Temple 853, previously d/b/a as PRIDE OF SAINT LUCIE LODGE #1189, IBPOE OF W, INC., a Florida Not For Profit Corporation, and demands judgment against the Defendant for all damages recoverable under the laws of Florida and further demands a trial by jury on all issues so triable as of right by a jury.

**DEMAND FOR JURY TRIAL**

The Plaintiff demands a trial by jury of all issues triable as of right by a jury.

DATED AUGUST 5<sup>th</sup>, 2016

**THE HAGGARD LAW FIRM, P.A.**

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