IN THE CIRCUIT COURT OF THE 20TH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION

CASE NO:

HEATHER S. JOHNSON, as Personal Representative of the Estate of ALEX MATTHEW JOHNSON, deceased,

Plaintiff,

vs.

3000 OASIS GRAND BLVD LAND OWNER, LLC,
a Foreign Limited Liability Company;
3040 OASIS GRAND BLVD OWNER, LLC,
a Foreign Limited Liability Company;
3000 OASIS GRAND BLVD OWNER, LLC,
a Foreign Limited Liability Company;
OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC.,
a Florida Not for Profit Corporation;
CASENTA LLC, a Foreign Limited Liability Company;

Defendants.
_____/

COMPLAINT AND DEMAND FOR JURY TRIAL

COMES NOW the Plaintiff, HEATHER S. JOHNSON, as Personal Representative of the Estate of ALEX MATTHEW JOHNSON, by and through undersigned counsel and hereby sue Defendants, 3000 OASIS GRAND BLVD LAND OWNER, LLC, a Foreign Limited Liability Company, 3040 OASIS GRAND BLVD OWNER, LLC, a Foreign Limited Liability Company, 3000 OASIS GRAND BLVD OWNER, LLC, a Foreign Limited Liability Company, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC., a Florida Not for Profit Corporation, CASENTA LLC, a Foreign Limited Liability Company, and alleges as follows:

ALLEGATIONS AS TO ALL COUNTS

1. This is an action for damages in excess of Fifty Thousand Dollars exclusive of interest, costs, and attorney's fees and is being brought pursuant to the Florida Wrongful Death Act, Fla. Stat. § 768.16, et seq.
2. Plaintiff, HEATHER S. JOHNSON, is the duly appointed, qualified, Personal Representatives of the Estate of ALEX MATTHEW JOHNSON, and is the proper party to bring this action.
3. Duane Johnson, is the natural father of decedent, ALEX MATTHEW JOHNSON and is sui juris. Duane Johnson, is a statutory survivor in this action under Florida's Wrongful Death Act., Fla. Stat. § 768.16, et. seq.
4. At all material times, Plaintiff's decedent, ALEX MATTHEW JOHNSON, resided in Lee County, Florida.
5. At all material times, Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, was authorized to and doing business in the State of Florida as a Foreign Limited Liability Company with a principal address of 2000 Ponce de Leon, Suite 600, Coral Gables, Florida 33134.
6. At all material times, Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, was authorized to and doing business in the State of Florida as a Foreign Limited Liability Company with a principal address of 2000 Ponce de Leon, Suite 600, Coral Gables, Florida 33134.
7. At all material times, Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, was authorized to and doing business in the State of Florida as a Foreign Limited Liability

Company with a principal address of 2000 Ponce de Leon, Suite 600, Coral Gables, Florida 33134.

8. At all material times, Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC, was authorized to and doing business in the State of Florida as a Florida Not For Profit Corporation with a principal address of 3000 Oasis Grand Boulevard, Fort Myers, Florida 33916.
9. At all material times, Defendant, CASENTA LLC, was authorized to and doing business in the State of Florida as a Foreign Limited Liability Company with a principal address of One Urban Center, 4830 W. Kennedy Boulevard, Suite 600, Tampa, Florida 33609.
10. At all material times, Defendant 3000 OASIS GRAND BLVD LAND OWNER, LLC, owned, operated, managed, maintained, or controlled the parking lot identified by the Lee County Property Appraiser as STRAP: 18-44-25-P1-03901.0000/Folio ID: 10550360, 23900-2910.
11. At all material times, Defendant 3040 OASIS GRAND BLVD OWNER, LLC, owned, operated, managed, maintained, or controlled the parking lot identified by the Lee County Property Appraiser as STRAP: 18-44-25-P1-03901.0000/Folio ID: 10550360, 23900-2910.
12. At all material times, Defendant 3000 OASIS GRAND BLVD OWNER, LLC, owned, operated, managed, maintained, or controlled the parking lot identified by the Lee County Property Appraiser as STRAP: 18-44-25-P1-03901.0000/Folio ID: 10550360, 23900-2910.
13. At all material times, Defendant OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC. owned, operated, managed, maintained, or controlled the parking

lot identified by the Lee County Property Appraiser as STRAP: 18-44-25-P1-03901.0000/Folio ID: 10550360, 23900-2910.

14. At all material times, Defendant CASENTA LLC owned, operated, managed, maintained, or controlled the parking lot identified by the Lee County Property Appraiser as STRAP: 18-44-25-P1-03901.0000/Folio ID: 10550360, 23900-2910.
15. At all material times to this action, the Defendants, had and/or assumed the duty to provide security and security personnel, premises configurations, security cameras, lighting, gates, fences, and control over points of ingress and/or egress to protect invitees on the premises, to control and guard against the criminal activity which had been occurring at or in the immediate vicinity of the premises, and thereby had and/or assumed duties to Plaintiff to provide reasonable security at the premises or otherwise had a duty to provide reasonable security measures.
16. At all material times, the Defendants were responsible for the acts and omissions of their agents, employees, Representative, and/or servants.
17. At all material times to this action, the Defendants, their agents, employees, and/or servants, had actual or constructive knowledge of a history of criminal activity on and in the vicinity of the premises and knew or should have known that there was a propensity for criminal conduct by third persons which unreasonably exposed invitees, including the deceased, to an unreasonable dangerous condition on the premises which was likely to cause harm to invitees.
18. On June 6, 2025, ALEX MATTHEW JOHNSON, deceased, was lawfully on the property of the premises/parking lot located/identified by the Lee County Property Appraiser as STRAP: 18-44-25-P1-03901.0000/Folio ID: 10550360, 23900-2910.

19. On the above-mentioned date and place, ALEX MATTHEW JOHNSON, deceased, was shot and killed while on the premises owned, managed, controlled, and/or maintained by Defendants, resulting in severe bodily injuries that lead to his subsequent death.

20. Venue is proper in Lee County as the Plaintiff resided in Lee County and the incident occurred on property located in Lee County, Florida.

COUNT I
NEGLIGENCE CLAIM AGAINST DEFENDANT 3000 OASIS GRAND BLVD LAND OWNER, LLC

21. Plaintiff realleges paragraphs 1 through 20.

22. At all material times, Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, through its agents and/or employees, owed a duty to its tenants, invitees and the public, to exercise reasonable and ordinary care to maintain the premises/parking lot located/identified by the Lee County Property Appraiser as STRAP: 18-44-25-P1-03901.0000/Folio ID: 10550360, 23900-2910, in a condition reasonably safe for use by its invitees, and the public.

23. In particular, Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, had a duty to take such precautions as were reasonably necessary to protect its invitees and the public, including ALEX MATTHEW JOHNSON, deceased, from reasonably foreseeable criminal attacks.

24. At all material times, Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, through its agents and/or employees, knew, or in the exercise of reasonable care should have known, the premises was in a high crime area. Specifically, numerous criminal acts occurred in said area, and said criminal acts were reasonably likely to be perpetrated on

invitees, and the public unless Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, took appropriate measures to provide reasonable security for such individuals.

25. At all material times, Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, through its agents and/or employees, knew, or in the exercise of reasonable care should have known, that prior to June 8, 2025, numerous violent criminal acts including but not limited to, assaults, muggings, burglaries, murders, and robberies, occurred on or around the premises, and throughout adjacent areas.

26. Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, through its agents and/or employees, knew, or in the exercise of reasonable care should have known that individuals, including ALEX MATTHEW JOHNSON, deceased, could not take the necessary measures to provide for his own security while on the premises of the parking lot, including the walkways, parking lot, boat ramp, and areas adjacent thereto.

27. Consequently, the shooting, and death of ALEX MATTHEW JOHNSON, was reasonably foreseeable, and Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, was in a superior position to appreciate such hazards and to take the necessary measures to prevent harm to its, invitees and the public, including ALEX MATTHEW JOHNSON, deceased.

28. On the above mentioned date and place, Defendant, 3000 OASIS GRAND BLVD LAND OWNER, through its agents and/or employees, breached its duty to exercise reasonable care for the safety and protection of its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, and acted in a negligent manner through the following acts and/or omissions:

    a. Failing to provide adequate security for its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

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b. Failing to warn its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, of the nature and character of the surrounding area when Defendant, 3000 OASIS GRAND BLVD LAND OWNER LLC, knew, or in the exercise of reasonable care should have known, numerous criminals incidents of a similar nature to the one herein (i.e., crimes against persons) occurred on or around the premise of the parking lot prior to the incident which is the basis of this claim.

c. Failing to warn, protect, guard, and/or secure the safety of its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, when Defendant, 3000 OASIS GRAND BLVD LAND OWNER LLC, knew, or in the exercise of reasonable care should have known, similar criminal acts occurred in the area nearby the parking lot, thereby creating a dangerous condition to those individuals on the premises of said parking lot;

d. Failing to police, patrol, guard, deter, and/or otherwise provide adequate protection for its invitees, and the public, when Defendant, 3000 OASIS GRAND BLVD LAND OWNER LLC, knew, or in the exercise of reasonable care should have known, of foreseeable criminal acts;

e. Failing to have sufficient number of guards in visible areas as to deter crime, thereby protecting its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, from foreseeable criminal acts;

f. Failing to have an adequate number of security guards to protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

g. Failing to implement adequate security policies, measures, and/or procedures necessary to protect ALEX MATTHEW JOHNSON, deceased, and other, invitees, and the public, from foreseeable criminal acts;

h. Failing to hire and/or retain competent security guards to protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

i. Failing to properly train security guards to be reasonably skilled, competent, and/or qualified to exercise appropriate security measures to protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

j. Failing to provide proper and sufficient lighting in the parking lot and its surrounding areas;

k. Failing to provide an adequate number of surveillance cameras throughout the parking lot including but not limited to streets, walkways, parking lots, boat ramp, and areas adjacent thereto;

l. Failing to position surveillance cameras in appropriate locations such that the parking lot including but not limited to, streets, walkways, parking lots, boat ramp, and areas adjacent thereto, was adequately monitored and/or deterred criminal activity;

m. Failing to maintain surveillance cameras in working condition such that every camera monitored and recorded the activity in its line of view;

n. Failing to take additional security measures once on notice the existing security measures were inadequate;

o. Failing to adequately provide an overall security plan that met known industry standards and customs for safety in the community;

p. Failing to provide a reasonably safe structural layout of the property upon purchasing said property;

q. Failing to take proper actions once the assailants presence was detected on premises;

r. Failing to provide a reasonably safe structural layout of the property upon taking control of the community and its common areas;

s. Failing to provide security gates/access control to the community;

t. Failing to properly screen and vet residents and guest prior to leasing units to them, including but not limited to failing to perform adequate thorough criminal background checks;

u. Failing to remove or evict residents that pose a danger to other residents;

v. The preceding paragraphs “a” through “u,” individually and/or as a whole, represent strict and clear deviations from the existing standard of care with regard to security, as recognized by similar properties in the community; and,

w. Additional acts of negligence not yet discovered.

29. Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, through its agents and/or employees, negligently failed to devise any procedures governing the inspection,

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supervision, and/or security of the area where the subject incident occurred, or in the alternative;

a. Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, through its agents and/or employees, devised procedures governing the inspection, supervision, and/or security of the area where the subject incident occurred; however, Defendant negligently and carelessly failed to implement said procedures; or in the alternative;

b. Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, through its agents and/or employees, devised procedures governing the inspection, supervision, and/or security of the area where the subject incident occurred; however, Defendant implemented same in a careless and negligent manner.

30. At all material times, Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, through its agents and/or employees, negligently failed to hire persons, employees, and/or agents reasonably suited to provide, implement, and maintain adequate security measures to ensure the safety of its invitees, and the public.

31. Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, through its agents, and/or employees, created and/or allowed said dangerous conditions on the premises of the parking lot. Further, Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, failed to warn its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, of the existence of said dangerous conditions; or in the alternative, allowed said dangerous conditions to exist for a length of time sufficient in which a reasonable inspection would have disclosed same.

32. The negligence of Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, proximately caused injury to ALEX MATTHEW JOHNSON, deceased, and directly led to the shooting, and subsequent death of ALEX MATTHEW JOHNSON in that:

a. The premises of the parking lot had inadequate and/or no visible deterrents to prevent said criminal assault;

b. The premises of the parking lot had inadequate and/or no physical deterrents to prevent said criminal assault;

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

33. Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, created an atmosphere on the premises of the parking lot that facilitated the commission of crimes against persons.

34. As a direct and proximate result of the negligence of Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, Plaintiff's Decedent, ALEX MATTHEW JOHNSON, suffered severe bodily harm which led to his death on June 6, 2025.

35. As a further direct and proximate result of the negligence of said defendant, which caused the death of ALEX MATTHEW JOHNSON, the Defendant is liable to the Plaintiff for all damages to which the Estate and/or the survivors and/or beneficiaries are entitled under the Florida Wrongful Death Statute, pursuant to Fla. Stat. §768.21. Specifically, the decedent's Estate, beneficiaries, and his 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 all survivors.

b. The past and future loss of Decedent's support and services from the date of his death to all survivors.

c. The past and future cost of therapy and mental health treatment for all survivors resulting from the death of Plaintiff's Decedent;

d. Loss of the Decedent's prospective net accumulations;

e. Loss of the care, maintenance, support, services, companionship, advice, counsel, inheritance and other reasonable contributions of pecuniary and non pecuniary value that the survivors would have otherwise received

during Plaintiff's; Decedent's life had it not been for his untimely, tragic, and wrongful death;

f. The expense of medical care and funeral arrangements arising from the injury and death of Plaintiff's decedent;

g. Any and all other damages as specified in F.S. §768.21.

WHEREFORE, the Plaintiff, HEATHER S. JOHNSON, as Personal Representative of the Estate of ALEX MATTHEW JOHNSON, deceased, sue the Defendant, 3000 OASIS GRAND BLVD LAND OWNER, LLC, and demand judgment against it for damages exclusive of attorney fees, costs, and interest, in an amount in excess of the jurisdiction limits of this Court.

COUNT II
NEGLIGENCE CLAIM AGAINST DEFENDANT
3040 OASIS GRAND BLVD OWNER, LLC

36. Plaintiff realleges paragraphs 1 through 20.

37. At all material times, Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, owed a duty to its tenants, invitees and the public, to exercise reasonable and ordinary care to maintain the premises/parking lot located/identified by the Lee County Property Appraiser as STRAP: 18-44-25-P1-03901.0000/Folio ID: 10550360, 23900-2910, in a condition reasonably safe for use by its invitees, and the public.

38. In particular, Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, had a duty to take such precautions as were reasonably necessary to protect its invitees and the public, including ALEX MATTHEW JOHNSON, deceased, from reasonably foreseeable criminal attacks.

39. At all material times, Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, knew, or in the exercise of reasonable care should have

known, the premises was in a high crime area. Specifically, numerous criminal acts occurred in said area, and said criminal acts were reasonably likely to be perpetrated on invitees, and the public unless Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, took appropriate measures to provide reasonable security for such individuals.

40. At all material times, Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, knew, or in the exercise of reasonable care should have known, that prior to June 8, 2025, numerous violent criminal acts including but not limited to, assaults, muggings, burglaries, murders, and robberies, occurred on or around the premises, and throughout adjacent areas.

41. Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, knew, or in the exercise of reasonable care should have known that individuals, including ALEX MATTHEW JOHNSON, deceased, could not take the necessary measures to provide for his own security while on the premises of the parking lot, including the walkways, parking lot, boat ramp, and areas adjacent thereto.

42. Consequently, the shooting, and death of ALEX MATTHEW JOHNSON, was reasonably foreseeable, and Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, was in a superior position to appreciate such hazards and to take the necessary measures to prevent harm to its, invitees and the public, including ALEX MATTHEW JOHNSON, deceased.

43. On the above mentioned date and place, Defendant, 3040 OASIS GRAND BLVD LAND OWNER, through its agents and/or employees, breached its duty to exercise reasonable care for the safety and protection of its invitees, and the public, including ALEX

MATTHEW JOHNSON, deceased, and acted in a negligent manner through the following acts and/or omissions:

a. Failing to provide adequate security for its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

b. Failing to warn its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, of the nature and character of the surrounding area when Defendant, 3040 OASIS GRAND BLVD LAND OWNER LLC, knew, or in the exercise of reasonable care should have known, numerous criminals incidents of a similar nature to the one herein (i.e., crimes against persons) occurred on or around the premise of the parking lot prior to the incident which is the basis of this claim.

c. Failing to warn, protect, guard, and/or secure the safety of its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, when Defendant, 3040 OASIS GRAND BLVD LAND OWNER LLC, knew, or in the exercise of reasonable care should have known, similar criminal acts occurred in the area nearby the parking lot, thereby creating a dangerous condition to those individuals on the premises of said parking lot;

d. Failing to police, patrol, guard, deter, and/or otherwise provide adequate protection for its invitees, and the public, when Defendant, 3040 OASIS GRAND BLVD LAND OWNER LLC, knew, or in the exercise of reasonable care should have known, of foreseeable criminal acts;

e. Failing to have sufficient number of guards in visible areas as to deter crime, thereby protecting its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, from foreseeable criminal acts;

f. Failing to have an adequate number of security guards to protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

g. Failing to implement adequate security policies, measures, and/or procedures necessary to protect ALEX MATTHEW JOHNSON, deceased, and other, invitees, and the public, from foreseeable criminal acts;

h. Failing to hire and/or retain competent security guards to protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

i. Failing to properly train security guards to be reasonably skilled, competent, and/or qualified to exercise appropriate security measures to

protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

j. Failing to provide proper and sufficient lighting in the parking lot and its surrounding areas;

k. Failing to provide an adequate number of surveillance cameras throughout the parking lot including but not limited to streets, walkways, parking lots, boat ramp, and areas adjacent thereto;

l. Failing to position surveillance cameras in appropriate locations such that the parking lot including but not limited to, streets, walkways, parking lots, boat ramp, and areas adjacent thereto, was adequately monitored and/or deterred criminal activity;

m. Failing to maintain surveillance cameras in working condition such that every camera monitored and recorded the activity in its line of view;

n. Failing to take additional security measures once on notice the existing security measures were inadequate;

o. Failing to adequately provide an overall security plan that met known industry standards and customs for safety in the community;

p. Failing to provide a reasonably safe structural layout of the property upon purchasing said property;

q. Failing to take proper actions once the assailants presence was detected on premises;

r. Failing to provide a reasonably safe structural layout of the property upon taking control of the community and its common areas;

s. Failing to provide security gates/access control to the community;

t. Failing to properly screen and vet residents and guest prior to leasing units to them, including but not limited to failing to perform adequate thorough criminal background checks;

u. Failing to remove or evict residents that pose a danger to other residents;

v. The preceding paragraphs “a” through “u,” individually and/or as a whole, represent strict and clear deviations from the existing standard of care with regard to security, as recognized by similar properties in the community; and,

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w. Additional acts of negligence not yet discovered.

44. Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, negligently failed to devise any procedures governing the inspection, supervision, and/or security of the area where the subject incident occurred, or in the alternative;

a. Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, devised procedures governing the inspection, supervision, and/or security of the area where the subject incident occurred; however, Defendant negligently and carelessly failed to implement said procedures; or in the alternative;

b. Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, devised procedures governing the inspection, supervision, and/or security of the area where the subject incident occurred; however, Defendant implemented same in a careless and negligent manner.

45. At all material times, Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, negligently failed to hire persons, employees, and/or agents reasonably suited to provide, implement, and maintain adequate security measures to ensure the safety of its invitees, and the public.

46. Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, through its agents, and/or employees, created and/or allowed said dangerous conditions on the premises of the parking lot. Further, Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, failed to warn its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, of the existence of said dangerous conditions; or in the alternative, allowed said dangerous conditions to exist for a length of time sufficient in which a reasonable inspection would have disclosed same.

47. The negligence of Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, proximately caused injury to ALEX MATTHEW JOHNSON, deceased, and directly led to the shooting, and subsequent death of ALEX MATTHEW JOHNSON in that:

a. The premises of the parking lot had inadequate and/or no visible deterrents to prevent said criminal assault;

b. The premises of the parking lot had inadequate and/or no physical deterrents to prevent said criminal assault;

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

48. Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, created an atmosphere on the premises of the parking lot that facilitated the commission of crimes against persons.

49. As a direct and proximate result of the negligence of Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, Plaintiff's Decedent, ALEX MATTHEW JOHNSON, suffered severe bodily harm which led to his death on June 6, 2025.

50. As a further direct and proximate result of the negligence of said defendant, which caused the death of ALEX MATTHEW JOHNSON, the Defendant is liable to the Plaintiff for all damages to which the Estate and/or the survivors and/or beneficiaries are entitled under the Florida Wrongful Death Statute, pursuant to Fla. Stat. §768.21. Specifically, the decedent's Estate, beneficiaries, and his 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 all survivors.

b. The past and future loss of Decedent's support and services from the date of his death to all survivors.

c. The past and future cost of therapy and mental health treatment for all survivors resulting from the death of Plaintiff's Decedent;

d. Loss of the Decedent's prospective net accumulations;

e. Loss of the care, maintenance, support, services, companionship, advice, counsel, inheritance and other reasonable contributions of pecuniary and non pecuniary value that the survivors would have otherwise received during Plaintiff's; Decedent's life had it not been for his untimely, tragic, and wrongful death;

f. The expense of medical care and funeral arrangements arising from the injury and death of Plaintiff's decedent;

h. Any and all other damages as specified in F.S. §768.21.

WHEREFORE, the Plaintiff, HEATHER S. JOHNSON, as Personal Representative of the Estate of ALEX MATTHEW JOHNSON, deceased, sue the Defendant, 3040 OASIS GRAND BLVD OWNER, LLC, and demand judgment against it for damages exclusive of attorney fees, costs, and interest, in an amount in excess of the jurisdiction limits of this Court.

COUNT III
NEGLIGENCE CLAIM AGAINST DEFENDANT
3000 OASIS GRAND BLVD OWNER, LLC

51. Plaintiff realleges paragraphs 1 through 20.

52. At all material times, Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, owed a duty to its tenants, invitees and the public, to exercise reasonable and ordinary care to maintain the premises/parking lot located/identified by the Lee County Property Appraiser as STRAP: 18-44-25-P1-03901.0000/Folio ID: 10550360, 23900-2910, in a condition reasonably safe for use by its invitees, and the public.

53. In particular, Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, had a duty to take such precautions as were reasonably necessary to protect its invitees and the public, including ALEX MATTHEW JOHNSON, deceased, from reasonably foreseeable criminal attacks.

54. At all material times, Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, knew, or in the exercise of reasonable care should have known, the premises was in a high crime area. Specifically, numerous criminal acts occurred in said area, and said criminal acts were reasonably likely to be perpetrated on invitees, and the public unless Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, took appropriate measures to provide reasonable security for such individuals.

55. At all material times, Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, knew, or in the exercise of reasonable care should have known, that prior to June 8, 2025, numerous violent criminal acts including but not limited to, assaults, muggings, burglaries, murders, and robberies, occurred on or around the premises, and throughout adjacent areas.

56. Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, knew, or in the exercise of reasonable care should have known that individuals, including ALEX MATTHEW JOHNSON, deceased, could not take the necessary measures to provide for his own security while on the premises of the parking lot, including the walkways, parking lot, boat ramp, and areas adjacent thereto.

57. Consequently, the shooting, and death of ALEX MATTHEW JOHNSON, was reasonably foreseeable, and Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, was in a superior position to appreciate such hazards and to take the necessary measures to prevent harm to its, invitees and the public, including ALEX MATTHEW JOHNSON, deceased.

58. On the above mentioned date and place, Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, breached its duty to exercise

reasonable care for the safety and protection of its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, and acted in a negligent manner through the following acts and/or omissions:

a. Failing to provide adequate security for its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

b. Failing to warn its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, of the nature and character of the surrounding area when Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, knew, or in the exercise of reasonable care should have known, numerous criminals incidents of a similar nature to the one herein (i.e., crimes against persons) occurred on or around the premise of the parking lot prior to the incident which is the basis of this claim.

c. Failing to warn, protect, guard, and/or secure the safety of its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, when Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, knew, or in the exercise of reasonable care should have known, similar criminal acts occurred in the area nearby the parking lot, thereby creating a dangerous condition to those individuals on the premises of said parking lot;

d. Failing to police, patrol, guard, deter, and/or otherwise provide adequate protection for its invitees, and the public, when Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, knew, or in the exercise of reasonable care should have known, of foreseeable criminal acts;

e. Failing to have sufficient number of guards in visible areas as to deter crime, thereby protecting its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, from foreseeable criminal acts;

f. Failing to have an adequate number of security guards to protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

g. Failing to implement adequate security policies, measures, and/or procedures necessary to protect ALEX MATTHEW JOHNSON, deceased, and other, invitees, and the public, from foreseeable criminal acts;

h. Failing to hire and/or retain competent security guards to protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

i. Failing to properly train security guards to be reasonably skilled, competent, and/or qualified to exercise appropriate security measures to protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

j. Failing to provide proper and sufficient lighting in the parking lot and its surrounding areas;

k. Failing to provide an adequate number of surveillance cameras throughout the parking lot including but not limited to streets, walkways, parking lots, boat ramp, and areas adjacent thereto;

l. Failing to position surveillance cameras in appropriate locations such that the parking lot including but not limited to, streets, walkways, parking lots, boat ramp, and areas adjacent thereto, was adequately monitored and/or deterred criminal activity;

m. Failing to maintain surveillance cameras in working condition such that every camera monitored and recorded the activity in its line of view;

n. Failing to take additional security measures once on notice the existing security measures were inadequate;

o. Failing to adequately provide an overall security plan that met known industry standards and customs for safety in the community;

p. Failing to provide a reasonably safe structural layout of the property upon purchasing said property;

q. Failing to take proper actions once the assailants presence was detected on premises;

r. Failing to provide a reasonably safe structural layout of the property upon taking control of the community and its common areas;

s. Failing to provide security gates/access control to the community;

t. Failing to properly screen and vet residents and guest prior to leasing units to them, including but not limited to failing to perform adequate thorough criminal background checks;

u. Failing to remove or evict residents that pose a danger to other residents;

v. The preceding paragraphs “a” through “u,” individually and/or as a whole, represent strict and clear deviations from the existing standard of

care with regard to security, as recognized by similar properties in the community; and,

w. Additional acts of negligence not yet discovered.

59. Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, negligently failed to devise any procedures governing the inspection, supervision, and/or security of the area where the subject incident occurred, or in the alternative;

a. Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, devised procedures governing the inspection, supervision, and/or security of the area where the subject incident occurred; however, Defendant negligently and carelessly failed to implement said procedures; or in the alternative;

b. Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, devised procedures governing the inspection, supervision, and/or security of the area where the subject incident occurred; however, Defendant implemented same in a careless and negligent manner.

60. At all material times, Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, through its agents and/or employees, negligently failed to hire persons, employees, and/or agents reasonably suited to provide, implement, and maintain adequate security measures to ensure the safety of its invitees, and the public.

61. Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, through its agents, and/or employees, created and/or allowed said dangerous conditions on the premises of the parking lot. Further, Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, failed to warn its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, of the existence of said dangerous conditions; or in the alternative, allowed said dangerous conditions to exist for a length of time sufficient in which a reasonable inspection would have disclosed same.

62. The negligence of Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, proximately caused injury to ALEX MATTHEW JOHNSON, deceased, and directly led to the shooting, and subsequent death of ALEX MATTHEW JOHNSON in that:

a. The premises of the parking lot had inadequate and/or no visible deterrents to prevent said criminal assault;

b. The premises of the parking lot had inadequate and/or no physical deterrents to prevent said criminal assault;

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

63. Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, created an atmosphere on the premises of the parking lot that facilitated the commission of crimes against persons.

64. As a direct and proximate result of the negligence of Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, Plaintiff's Decedent, ALEX MATTHEW JOHNSON, suffered severe bodily harm which led to his death on June 6, 2025.

65. As a further direct and proximate result of the negligence of said defendant, which caused the death of ALEX MATTHEW JOHNSON, the Defendant is liable to the Plaintiff for all damages to which the Estate and/or the survivors and/or beneficiaries are entitled under the Florida Wrongful Death Statute, pursuant to Fla. Stat. §768.21. Specifically, the decedent's Estate, beneficiaries, and his 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 all survivors.

b. The past and future loss of Decedent's support and services from the date of his death to all survivors.

c. The past and future cost of therapy and mental health treatment for all survivors resulting from the death of Plaintiff's Decedent;

d. Loss of the Decedent's prospective net accumulations;

e. Loss of the care, maintenance, support, services, companionship, advice, counsel, inheritance and other reasonable contributions of pecuniary and non pecuniary value that the survivors would have otherwise received during Plaintiff's; Decedent's life had it not been for his untimely, tragic, and wrongful death;

f. The expense of medical care and funeral arrangements arising from the injury and death of Plaintiff's decedent;

i. Any and all other damages as specified in F.S. §768.21.

WHEREFORE, the Plaintiff, HEATHER S. JOHNSON, as Personal Representative of the Estate of ALEX MATTHEW JOHNSON, deceased, sue the Defendant, 3000 OASIS GRAND BLVD OWNER, LLC, and demand judgment against it for damages exclusive of attorney fees, costs, and interest, in an amount in excess of the jurisdiction limits of this Court.

COUNT IV
NEGLIGENCE CLAIM AGAINST DEFENDANT
OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC.

66. Plaintiff realleges paragraphs 1 through 20.

67. At all material times, Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC. , through its agents and/or employees, owed a duty to its tenants, invitees and the public, to exercise reasonable and ordinary care to maintain the premises/parking lot located/identified by the Lee County Property Appraiser as STRAP: 18-44-25-P1-03901.0000/Folio ID: 10550360, 23900-2910, in a condition reasonably safe for use by its invitees, and the public.

68. In particular, Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC. , had a duty to take such precautions as were reasonably necessary to protect its invitees

and the public, including ALEX MATTHEW JOHNSON, deceased, from reasonably foreseeable criminal attacks.

69. At all material times, Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC., through its agents and/or employees, knew, or in the exercise of reasonable care should have known, the premises was in a high crime area. Specifically, numerous criminal acts occurred in said area, and said criminal acts were reasonably likely to be perpetrated on invitees, and the public unless Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC., took appropriate measures to provide reasonable security for such individuals.

70. At all material times, Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC. , through its agents and/or employees, knew, or in the exercise of reasonable care should have known, that prior to June 8, 2025, numerous violent criminal acts including but not limited to, assaults, muggings, burglaries, murders, and robberies, occurred on or around the premises, and throughout adjacent areas.

71. Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC. , through its agents and/or employees, knew, or in the exercise of reasonable care should have known that individuals, including ALEX MATTHEW JOHNSON, deceased, could not take the necessary measures to provide for his own security while on the premises of the parking lot, including the walkways, parking lot, boat ramp, and areas adjacent thereto.

72. Consequently, the shooting, and death of ALEX MATTHEW JOHNSON, was reasonably foreseeable, and Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC., was in a superior position to appreciate such hazards and to take the necessary

measures to prevent harm to its, invitees and the public, including ALEX MATTHEW JOHNSON, deceased.

73. On the above mentioned date and place, Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC., through its agents and/or employees, breached its duty to exercise reasonable care for the safety and protection of its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, and acted in a negligent manner through the following acts and/or omissions:

a. Failing to provide adequate security for its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

b. Failing to warn its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, of the nature and character of the surrounding area when Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC., knew, or in the exercise of reasonable care should have known, numerous criminals incidents of a similar nature to the one herein (i.e., crimes against persons) occurred on or around the premise of the parking lot prior to the incident which is the basis of this claim.

c. Failing to warn, protect, guard, and/or secure the safety of its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, when Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC., knew, or in the exercise of reasonable care should have known, similar criminal acts occurred in the area nearby the parking lot, thereby creating a dangerous condition to those individuals on the premises of said parking lot;

d. Failing to police, patrol, guard, deter, and/or otherwise provide adequate protection for its invitees, and the public, when Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC., knew, or in the exercise of reasonable care should have known, of foreseeable criminal acts;

e. Failing to have sufficient number of guards in visible areas as to deter crime, thereby protecting its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, from foreseeable criminal acts;

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f. Failing to have an adequate number of security guards to protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

g. Failing to implement adequate security policies, measures, and/or procedures necessary to protect ALEX MATTHEW JOHNSON, deceased, and other, invitees, and the public, from foreseeable criminal acts;

h. Failing to hire and/or retain competent security guards to protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

i. Failing to properly train security guards to be reasonably skilled, competent, and/or qualified to exercise appropriate security measures to protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

j. Failing to provide proper and sufficient lighting in the parking lot and its surrounding areas;

k. Failing to provide an adequate number of surveillance cameras throughout the parking lot including but not limited to streets, walkways, parking lots, boat ramp, and areas adjacent thereto;

l. Failing to position surveillance cameras in appropriate locations such that the parking lot including but not limited to, streets, walkways, parking lots, boat ramp, and areas adjacent thereto, was adequately monitored and/or deterred criminal activity;

m. Failing to maintain surveillance cameras in working condition such that every camera monitored and recorded the activity in its line of view;

n. Failing to take additional security measures once on notice the existing security measures were inadequate;

o. Failing to adequately provide an overall security plan that met known industry standards and customs for safety in the community;

p. Failing to provide a reasonably safe structural layout of the property upon purchasing said property;

q. Failing to take proper actions once the assailants presence was detected on premises;

r. Failing to provide a reasonably safe structural layout of the property upon taking control of the community and its common areas;

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s. Failing to provide security gates/access control to the community;

t. Failing to properly screen and vet residents and guest prior to leasing units to them, including but not limited to failing to perform adequate thorough criminal background checks;

u. Failing to remove or evict residents that pose a danger to other residents;

v. The preceding paragraphs "a" through "u," individually and/or as a whole, represent strict and clear deviations from the existing standard of care with regard to security, as recognized by similar properties in the community; and,

w. Additional acts of negligence not yet discovered.

74. Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC., through its agents and/or employees, negligently failed to devise any procedures governing the inspection, supervision, and/or security of the area where the subject incident occurred, or in the alternative;

a. Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC. , through its agents and/or employees, devised procedures governing the inspection, supervision, and/or security of the area where the subject incident occurred; however, Defendant negligently and carelessly failed to implement said procedures; or in the alternative;

b. Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC. , through its agents and/or employees, devised procedures governing the inspection, supervision, and/or security of the area where the subject incident occurred; however, Defendant implemented same in a careless and negligent manner.

75. At all material times, Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC., through its agents and/or employees, negligently failed to hire persons, employees, and/or agents reasonably suited to provide, implement, and maintain adequate security measures to ensure the safety of its invitees, and the public.

76. Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC. , through its agents, and/or employees, created and/or allowed said dangerous conditions on the premises of the parking lot. Further, Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC., failed to warn its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, of the existence of said dangerous conditions; or in the alternative, allowed said dangerous conditions to exist for a length of time sufficient in which a reasonable inspection would have disclosed same.

77. The negligence of Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC., proximately caused injury to ALEX MATTHEW JOHNSON, deceased, and directly led to the shooting, and subsequent death of ALEX MATTHEW JOHNSON in that:

a. The premises of the parking lot had inadequate and/or no visible deterrents to prevent said criminal assault;

b. The premises of the parking lot had inadequate and/or no physical deterrents to prevent said criminal assault;

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

78. Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC. , created an atmosphere on the premises of the parking lot that facilitated the commission of crimes against persons.

79. As a direct and proximate result of the negligence of Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC. , Plaintiff’s Decedent, ALEX MATTHEW JOHNSON, suffered severe bodily harm which led to his death on June 6, 2025.

80. As a further direct and proximate result of the negligence of said defendant, which caused the death of ALEX MATTHEW JOHNSON, the Defendant is liable to the Plaintiff for all

damages to which the Estate and/or the survivors and/or beneficiaries are entitled under the Florida Wrongful Death Statute, pursuant to Fla. Stat. §768.21. Specifically, the decedent's Estate, beneficiaries, and his 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 all survivors.

b. The past and future loss of Decedent's support and services from the date of his death to all survivors.

c. The past and future cost of therapy and mental health treatment for all survivors resulting from the death of Plaintiff's Decedent;

d. Loss of the Decedent's prospective net accumulations;

e. Loss of the care, maintenance, support, services, companionship, advice, counsel, inheritance and other reasonable contributions of pecuniary and non pecuniary value that the survivors would have otherwise received during Plaintiff's; Decedent's life had it not been for his untimely, tragic, and wrongful death;

f. The expense of medical care and funeral arrangements arising from the injury and death of Plaintiff's decedent;

j. Any and all other damages as specified in F.S. §768.21.

WHEREFORE, the Plaintiff, HEATHER S. JOHNSON, as Personal Representative of the Estate of ALEX MATTHEW JOHNSON, deceased, sue the Defendant, OASIS TOWER ONE CONDOMINIUM ASSOCIATION, INC. , and demand judgment against it for damages exclusive of attorney fees, costs, and interest, in an amount in excess of the jurisdiction limits of this Court.

COUNT V
NEGLIGENCE CLAIM AGAINST DEFENDANT
CASENTA LLC

81. Plaintiff realleges paragraphs 1 through 20.

82. At all material times, Defendant, CASENTA LLC, through its agents and/or employees, owed a duty to its tenants, invitees and the public, to exercise reasonable and ordinary care to maintain the premises/parking lot located/identified by the Lee County Property Appraiser as STRAP: 18-44-25-P1-03901.0000/Folio ID: 10550360, 23900-2910, in a condition reasonably safe for use by its invitees, and the public.

83. In particular, Defendant, CASENTA LLC, had a duty to take such precautions as were reasonably necessary to protect its invitees and the public, including ALEX MATTHEW JOHNSON, deceased, from reasonably foreseeable criminal attacks.

84. At all material times, Defendant, CASENTA LLC through its agents and/or employees, knew, or in the exercise of reasonable care should have known, the premises was in a high crime area. Specifically, numerous criminal acts occurred in said area, and said criminal acts were reasonably likely to be perpetrated on invitees, and the public unless Defendant, CASENTA LLC took appropriate measures to provide reasonable security for such individuals.

85. At all material times, Defendant, CASENTA LLC, through its agents and/or employees, knew, or in the exercise of reasonable care should have known, that prior to June 8, 2025, numerous violent criminal acts including but not limited to, assaults, muggings, burglaries, murders, and robberies, occurred on or around the premises, and throughout adjacent areas.

86. Defendant, CASENTA LLC, through its agents and/or employees, knew, or in the exercise of reasonable care should have known that individuals, including ALEX MATTHEW JOHNSON, deceased, could not take the necessary measures to provide for

his own security while on the premises of the parking lot, including the walkways, parking lot, boat ramp, and areas adjacent thereto.

87. Consequently, the shooting, and death of ALEX MATTHEW JOHNSON, was reasonably foreseeable, and Defendant, CASENTA LLC, was in a superior position to appreciate such hazards and to take the necessary measures to prevent harm to its, invitees and the public, including ALEX MATTHEW JOHNSON, deceased.

88. On the above mentioned date and place, Defendant, CASENTA LLC, through its agents and/or employees, breached its duty to exercise reasonable care for the safety and protection of its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, and acted in a negligent manner through the following acts and/or omissions:

a. Failing to provide adequate security for its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

b. Failing to warn its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, of the nature and character of the surrounding area when Defendant, CASENTA LLC, knew, or in the exercise of reasonable care should have known, numerous criminals incidents of a similar nature to the one herein (i.e., crimes against persons) occurred on or around the premise of the parking lot prior to the incident which is the basis of this claim.

c. Failing to warn, protect, guard, and/or secure the safety of its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, when Defendant, CASENTA LLC, knew, or in the exercise of reasonable care should have known, similar criminal acts occurred in the area nearby the parking lot, thereby creating a dangerous condition to those individuals on the premises of said parking lot;

d. Failing to police, patrol, guard, deter, and/or otherwise provide adequate protection for its invitees, and the public, when Defendant, CASENTA LLC, knew, or in the exercise of reasonable care should have known, of foreseeable criminal acts;

e. Failing to have sufficient number of guards in visible areas as to deter crime, thereby protecting its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, from foreseeable criminal acts;

f. Failing to have an adequate number of security guards to protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

g. Failing to implement adequate security policies, measures, and/or procedures necessary to protect ALEX MATTHEW JOHNSON, deceased, and other, invitees, and the public, from foreseeable criminal acts;

h. Failing to hire and/or retain competent security guards to protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

i. Failing to properly train security guards to be reasonably skilled, competent, and/or qualified to exercise appropriate security measures to protect its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased;

j. Failing to provide proper and sufficient lighting in the parking lot and its surrounding areas;

k. Failing to provide an adequate number of surveillance cameras throughout the parking lot including but not limited to streets, walkways, parking lots, boat ramp, and areas adjacent thereto;

l. Failing to position surveillance cameras in appropriate locations such that the parking lot including but not limited to, streets, walkways, parking lots, boat ramp, and areas adjacent thereto, was adequately monitored and/or deterred criminal activity;

m. Failing to maintain surveillance cameras in working condition such that every camera monitored and recorded the activity in its line of view;

n. Failing to take additional security measures once on notice the existing security measures were inadequate;

o. Failing to adequately provide an overall security plan that met known industry standards and customs for safety in the community;

p. Failing to provide a reasonably safe structural layout of the property upon purchasing said property;

q. Failing to take proper actions once the assailants presence was detected on premises;

r. Failing to provide a reasonably safe structural layout of the property upon taking control of the community and its common areas;

s. Failing to provide security gates/access control to the community;

t. Failing to properly screen and vet residents and guest prior to leasing units to them, including but not limited to failing to perform adequate thorough criminal background checks;

u. Failing to remove or evict residents that pose a danger to other residents;

v. The preceding paragraphs "a" through "u," individually and/or as a whole, represent strict and clear deviations from the existing standard of care with regard to security, as recognized by similar properties in the community; and,

w. Additional acts of negligence not yet discovered.

89. Defendant, CASENTA LLC, through its agents and/or employees, negligently failed to devise any procedures governing the inspection, supervision, and/or security of the area where the subject incident occurred, or in the alternative;

a. Defendant, CASENTA LLC, through its agents and/or employees, devised procedures governing the inspection, supervision, and/or security of the area where the subject incident occurred; however, Defendant negligently and carelessly failed to implement said procedures; or in the alternative;

b. Defendant, CASENTA LLC, through its agents and/or employees, devised procedures governing the inspection, supervision, and/or security of the area where the subject incident occurred; however, Defendant implemented same in a careless and negligent manner.

90. At all material times, Defendant, CASENTA LLC, through its agents and/or employees, negligently failed to hire persons, employees, and/or agents reasonably suited to provide, implement, and maintain adequate security measures to ensure the safety of its invitees, and the public.

91. Defendant, CASENTA LLC, through its agents, and/or employees, created and/or allowed said dangerous conditions on the premises of the parking lot. Further, Defendant, CASENTA LLC, failed to warn its invitees, and the public, including ALEX MATTHEW JOHNSON, deceased, of the existence of said dangerous conditions; or in the alternative, allowed said dangerous conditions to exist for a length of time sufficient in which a reasonable inspection would have disclosed same.

92. The negligence of Defendant, CASENTA LLC, proximately caused injury to ALEX MATTHEW JOHNSON, deceased, and directly led to the shooting, and subsequent death of ALEX MATTHEW JOHNSON in that:

    a. The premises of the parking lot had inadequate and/or no visible deterrents to prevent said criminal assault;

    b. The premises of the parking lot had inadequate and/or no physical deterrents to prevent said criminal assault;

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

93. Defendant, CASENTA LLC, created an atmosphere on the premises of the parking lot that facilitated the commission of crimes against persons.

94. As a direct and proximate result of the negligence of Defendant, CASENTA LLC, Plaintiff's Decedent, ALEX MATTHEW JOHNSON, suffered severe bodily harm which led to his death on June 6, 2025.

95. As a further direct and proximate result of the negligence of said defendant, which caused the death of ALEX MATTHEW JOHNSON, the Defendant is liable to the Plaintiff for all damages to which the Estate and/or the survivors and/or beneficiaries are entitled under the Florida Wrongful Death Statute, pursuant to Fla. Stat. §768.21. Specifically, the decedent's Estate, beneficiaries, and his survivors, have suffered and will continue to

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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 all survivors.

b. The past and future loss of Decedent's support and services from the date of his death to all survivors.

c. The past and future cost of therapy and mental health treatment for all survivors resulting from the death of Plaintiff's Decedent;

d. Loss of the Decedent's prospective net accumulations;

e. Loss of the care, maintenance, support, services, companionship, advice, counsel, inheritance and other reasonable contributions of pecuniary and non pecuniary value that the survivors would have otherwise received during Plaintiff's; Decedent's life had it not been for his untimely, tragic, and wrongful death;

f. The expense of medical care and funeral arrangements arising from the injury and death of Plaintiff's decedent;

k. Any and all other damages as specified in F.S. §768.21.

WHEREFORE, the Plaintiff, HEATHER S. JOHNSON, as Personal Representative of the Estate of ALEX MATTHEW JOHNSON, deceased, sue the Defendant, CASENTA LLC, and demand judgment against it for damages exclusive of attorney fees, costs, and interest, in an amount in excess of the jurisdiction limits of this Court.

DEMAND FOR JURY TRIAL

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

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing was served on all parties with ser

Respectfully submitted this November 9, 2026.

DATED THIS November 9, 2026.

THE HAGGARD LAW FIRM, P.A.

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BY: */s/ TODD J. MICHAELS*
TODD J. MICHAELS
Florida Bar No. 568597