

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

CIVIL DIVISION

CASE NO.

GURBUZ DOLU,

Plaintiff,

vs.

UNITED AIRLINES, INC., and
JOHN DOE,

Defendants.

COMPLAINT FOR PURE BILL OF DISCOVERY

Plaintiff Gurbuz Dolu, through undersigned counsel, files his Complaint for Pure Bill of Discovery against Defendants United Airlines, Inc., and one of its airport employees, "John Doe," whose name is unknown to Plaintiff, and alleges in support:

PARTIES

1. Plaintiff Gurbuz Dolu is a citizen and resident of Princeton, New Jersey.
2. Defendant United Airlines, Inc. ("United") is a major American airline corporation headquartered in Chicago, Illinois, whose workforce consists of over 82,000 employees. United operates more than 4,500 flights a day to approximately 339 airports across five continents, including Fort Lauderdale International Airport ("FLL"), in Broward County, Florida.
3. Defendant John Doe is a United airport employee working as a terminal employee, customer service representative, and/or gate agent at FLL. Upon information and belief, John Doe is based in Florida at FLL and is a citizen and resident of Florida.

JURISDICTION AND VENUE

4. This Complaint is for a pure bill of discovery.

5. This Court has subject matter jurisdiction pursuant to § 26.012(2)(c), Florida Statutes (2004), because a pure bill of discovery falls within the exclusive original equity jurisdiction of the Circuit Court.

6. This Court has personal jurisdiction over United pursuant to § 48.193, Florida Statutes (2016), because United (a) operates, conducts, engages in, or carries on a business or business venture in this state; (b) committed a tortious act within this state; (c) owns, uses, possesses, or holds a mortgage or other lien on real property within this state; (d) was engaged in solicitation or service activities within this state; and (e) engages in substantial and not isolated activities within this state.

7. This Court has personal jurisdiction over John Doe pursuant to § 48.193, Florida Statutes (2016), because John Doe (a) committed a tortious act within this state; and (b) is a resident of this state.

8. Venue is proper in Broward County because the tortious conduct underlying this Complaint for Pure Bill of Discovery occurred in Broward County and United operates its flights in and out of FLL which is located in Broward County.

FACTUAL ALLEGATIONS

9. On or about January 6, 2017, Plaintiff was in Terminal One of FLL, awaiting his scheduled United flight out of FLL to Newark, New Jersey.

10. Just before 1 p.m., a gunman opened fire at FLL, killing and wounding several individuals in a terrible act of violence before being subdued and captured by law enforcement.

11. Subsequent to the capture of the gunman, there were reports and indications throughout FLL that there was a second shooter at the airport.

12. Between approximately 2:10 and 2:30 p.m., Plaintiff was in the center of the hallway in Terminal One, near Gate C3, when he noticed Transportation Security Administration personnel running in his direction, screaming at people to run.

13. Plaintiff quickly moved behind the counter located at Gate C3. A few moments later, John Doe, a local employee of United, approached the entrance to Gate C3, to which a jet bridge was connected.

14. John Doe was wearing a United employee uniform worn by United employees working in the airport terminal as customer service representatives and/or gate agents. The uniform consisted of dark slacks and a dark vest over a lighter blue shirt. An example of the uniform worn by John Doe and by United employees stationed at airports can be found at <http://newsroom.united.com/index.php?s=20291&mode=gallery&cat=2800>. The uniform was not of the type worn by pilots and flight attendants.

15. John Doe opened the locked entrance to Gate C3 and indicated to persons in the area, including Plaintiff, to follow him.

16. Plaintiff and several others hurried to follow John Doe as directed. John Doe led them into the jet bridge to a locked door at the other end. John Doe opened the locked door but there was nothing on the other side. Plaintiff fell from the jet bridge, falling approximately thirteen feet to the tarmac below and sustaining serious injuries.

COUNT I
PURE BILL OF DISCOVERY

17. Plaintiff adopts and realleges paragraphs 1 through 16 above, and further alleges:

18. Plaintiff intends to bring a suit for damages, including a count for negligence, against United and in an individual capacity, John Doe, the unidentified United employee who opened the two locked doors of the jet bridge connected to Gate C3 and led persons, including Plaintiff, into the jet bridge, resulting in Plaintiff falling from the jet bridge and sustaining injuries.

19. It is necessary for Plaintiff to discover the identity of the unidentified United employee to commence a suit for negligence against the United employee in an individual capacity.

20. Plaintiff believes that John Doe is a resident of Florida. It is additionally necessary that Plaintiff discover the identity of the unidentified United employee in order to commence and maintain an action against the negligent parties in a Florida state court.

21. As the employer of the unidentified United employee and an airline operator at FLL where the incident underlying this bill of discovery occurred, United is in possession of relevant and material identifying information of the employee. This information includes, but is not limited to, personnel files, work scheduling documents and time card information regarding the unidentified United employee; as well as surveillance footage and incident reports from, or about, the day of the subject incident. Additionally, the corporate representative of United will have information regarding the identity and assignment of the unidentified United employee on the day of the subject incident.

22. Plaintiff will be unable to acquire the necessary information to commence and maintain a suit against John Doe in Florida state court without the requested bill of discovery.

WHEREFORE, Plaintiff respectfully requests that this Court enter an Order granting Plaintiff a Bill of Discovery requiring United to respond to general discovery under the Florida Rules of Civil Procedure initiated by Plaintiff concerning the subject incident and the identity of

John Doe, the unidentified United employee described in the Complaint above, and for any further relief this Court deems just and necessary.

Dated April 24, 2017.

Respectfully submitted,

s/David Buckner

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