

Filing # 58471177 E-Filed 06/30/2017 12:22:48 AM

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.:

AUDREY GASSNER-DUNAYER,
as Personal Representative of the
Estate of JEROME BARSON,

Plaintiff,

vs.

VENUS WILLIAMS,

Defendant.

COMPLAINT

Plaintiff, AUDREY GASSNER-DUNAYER, as Personal Representative of the Estate of JEROME BARSON, deceased, by and through the undersigned attorneys sues the Defendant, VENUS WILLIAMS and alleges:

WRONGFUL DEATH ACTION

1. This is an action for wrongful death pursuant to the Florida Wrongful Death Act, §768.16-768.26, Fla. Stat., and for damages in excess of Fifteen Thousand Dollars, exclusive of interest and costs.

2. JEROME BARSON died on or about June 22, 2017, as a result of the negligence of the Defendant, VENUS WILLIAMS as described below.

3. The decedent, JEROME BARSON, was at all times material herein a resident of Palm Beach County, Florida.

4. At the time of his death, JEROME BARSON was married to LINDA BARSON, who is now his surviving spouse pursuant to the Wrongful Death Act.

5. Plaintiff, AUDREY GASSNER-DUNAYER, is a resident of Palm Beach County, Florida, and is the daughter of JEROME BARSON and LINDA BARSON.

6. Plaintiff, AUDREY GASSNER-DUNAYER, is in the process of being appointed as Personal Representative of the Estate of JEROME BARSON. Petition for Administration, Letters of Administration, and Order Appointing Personal Representative are forthcoming.

7. At all times material hereto, Defendant, VENUS WILLIAMS, was and is a resident of Palm Beach County, Florida.

8. On or about June 9, 2017, Defendant, VENUS WILLIAMS, operated her 2010 Toyota Sequoia at the intersection of Northlake Blvd. and BallenIsles Drive, Palm Beach Gardens, Palm Beach County, Florida.

9. At that time and place, Defendant, VENUS WILLIAMS, negligently operated or maintained the Toyota Sequoia so that she collided with a 2016 Hyundai Accent that was being operated by LINDA BARSON and occupied by her husband, JEROME BARSON.

10. The resulting impact caused extensive damage to both vehicles. The front end of the Hyundai Accent was crushed, the front windshield shattered, the airbags deployed, there was crush damage to the rear on the driver's side, and the back window was shattered. The Defendant's Toyota Sequoia was also severely damaged. Both vehicles were towed from the scene of the wreck.

11. JEROME BARSON and his wife LINDA BARSON suffered severe traumatic injuries. Palm Beach Gardens Fire Rescue emergency rescue workers treated them on the scene and transported them to St. Mary's Medical Center in West Palm Beach. JEROME BARSON's traumatic injuries include, inter alia, lacerated skin, severed main arteries, massive internal bleeding, a fractured spine, and massive internal organ damage. JEROME BARSON fought for his life in the intensive care unit at St. Mary's Medical Center but did not survive his injuries. JEROME BARSON died at St. Mary's Medical Center, on June 22, 2017, thirteen days after this motor vehicle crash. LINDA BARSON's injuries include, inter alia, a cracked sternum, shattered right arm, broken right wrist, hand and fingers. LINDA BARSON survived her injuries but she is left with permanent injuries and impairments.

12. At the time of his death JEROME BARSON was seventy-eight years old and his wife LINDA BARSON was sixty-eight years old. JEROME BARSON and LINDA BARSON were happily married for over thirty-three years. Their lives

revolved around their loving marital relationship as well as their loving children and seven grandchildren. LINDA BARSON watched her husband JEROME BARSON die on her sixty-eighth birthday, June 22, 2017.

13. LINDA BARSON's grief, mental pain and suffering caused by the wrongful death of her husband JEROME BARSON is compounded by her own severe physical injuries sustained from this motor vehicle crash.

14. The negligence of Defendant, VENUS WILLIAMS, that led to this crash and to the catastrophic injuries and death of JEROME BARSON, includes, inter alia, failing to yield the right of way, failing to stop at a red-light, failure to obey a traffic control device, failing to keep a proper lookout, failing to stop for oncoming traffic, driving too fast for the conditions, driving carelessly and recklessly, and distracted driving.

15. It was foreseeable that negligent acts like those of the Defendant would cause these injuries and wrongful death. Careless or negligent driving and failing to yield the right of way are the leading causes of traffic fatalities in the state of Florida. There were 2,939 traffic crash fatalities in Florida in 2015, up seventeen percent from 2014. The state of Florida consistently ranks as one of the highest traffic fatality states in the nation. These statistics were compiled by the Florida Department of Highway Safety and Motor Vehicles and published in its 2015 Annual Report on Traffic Crash Facts.

16. It is the public policy of the state of Florida to shift the losses resulting when wrongful death occurs from the survivors of the decedent to the wrongdoer.

17. As a result of the wrongful death of JEROME BARSON, the surviving spouse, LINDA BARSON, has suffered the loss of her husband JEROME BARSON's companionship and protection, and mental pain and suffering from the date of the injury; has lost support and services from the date of JEROME BARSON's injury to the date of his death with interest; has lost future support and services from the date of his death; and has incurred medical and funeral expenses due to JEROME BARSON's injury and death. Plaintiff, AUDREY GASSNER-DUNAYER, as Personal Representative of the Estate of JEROME BARSON, deceased, claims all damages allowed under the Florida Wrongful Death Act for surviving spouse LINDA BARSON.

18. Furthermore, Plaintiff, AUDREY GASSNER-DUNAYER, as Personal Representative of the Estate of JEROME BARSON, claims loss of earnings of the deceased, JEROME BARSON, from the date of injury to the date of death with interest; and loss of the prospective net accumulations and earnings which might have been expected, but for the wrongful death. The Estate is also entitled to medical and funeral expenses. Plaintiff, AUDREY GASSNER-DUNAYER, as Personal Representative of the Estate of JEROME BARSON, deceased, claims all damages allowed under the Florida Wrongful Death Act.

WHEREFORE, Plaintiff, AUDREY GASSNER-DUNAYER, as Personal Representative of the Estate of JEROME BARSON, demands judgment for damages against Defendant, VENUS WILLIAMS, together with interest and costs, and further demands a trial by jury as to all issues so triable as a matter of right.

DATED THIS 29th day of June, 2017.

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