

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO:

OPHIR STERNBERG, an
individual, as natural guardian of
[REDACTED], a minor child.

Plaintiff,

v.

ANTONIO BROWN, an individual,

Defendant.

COMPLAINT

Ophir Sternberg ("Mr. Sternberg"), as natural guardian for his minor son, [REDACTED]
[REDACTED] (collectively "Plaintiff"), by and through undersigned counsel, sues Defendant,
Antonio Brown ("Mr. Brown"). In support, Plaintiff states as follows:

INTRODUCTION

1. This is an action for intentional infliction of emotional distress and assault.

JURISDICTION AND VENUE

2. Plaintiff seeks damages in excess of \$15,000, exclusive of interest, costs and attorneys' fees.
3. Plaintiff is a minor child currently residing in Miami-Dade County, FL.
4. Mr. Brown is an individual currently residing in Miami-Dade County, Florida.
5. The tortious acts that are the subject of this Complaint occurred in Miami-Dade County, Florida.

6. Accordingly, venue and jurisdiction are proper in this Court.

7. Plaintiff has performed any necessary conditions precedent, or they have occurred, been waived, or have been excused.

ALLEGATIONS COMMON TO ALL COUNTS

8. On April 24, 2018, on or about 10:30 am, Plaintiff, a twenty-two (22) month old child at the time, was walking with his grandfather near the pool at The Mansions at Acqualina, [REDACTED] Sunny Isles Beach, FL, when large objects started to fall from the building many floors above them and crash to the ground.

9. Items continued to fall from the balcony above them for several minutes.

10. The falling objects included two very large vases, estimated to be over three feet tall each, as well as a large, heavy ottoman and other pieces of furniture.

11. One of the vases shattered when it hit the ground.

12. Some of these items fell within a mere foot or two of Plaintiff and his grandfather.

13. These large and heavy objects could have severely injured or killed Plaintiff or his grandfather had they fallen just a foot or two to the left or right.

14. Plaintiff was immediately terror stricken and ran away crying hysterically.

15. Plaintiff was severely traumatized by the incident, crying for hours on end the day it occurred and was unable to sleep that night.

16. Since that day, Plaintiff has exhibited symptoms of fear and anxiety, having night terrors every night and waking up numerous times in a panic and crying, when this never occurred prior to the incident.

17. Security personnel investigated this incident and determined that the objects were thrown from the balcony of Unit [REDACTED] by Mr. Brown.

18. There is surveillance video clearly showing the objects falling from the fourteenth floor balcony and landing close to the Plaintiff and his grandfather.

19. Apparently, Mr. Brown also caused extensive damage to Unit [REDACTED] in a fit of rage and threw objects over the balcony with blatant disregard to the safety of his neighbors, including Plaintiff.

20. Mr. Brown was extremely agitated, acting aggressively, and yelling at security personnel when the Sunny Isles police arrived to the scene. These events are confirmed by the reports of the Sunny Isles police.

21. Plaintiff has been required to retain the undersigned counsel and pay such counsel a reasonable fee and costs for all services.

COUNT I – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

22. Plaintiff re-alleges and incorporates by reference paragraphs 1 to 21 above as if fully set forth herein.

23. This is an action for intentional infliction of emotional distress.

24. Mr. Brown's conduct in throwing large items off of the balcony of Unit [REDACTED] without regard for human life was intentional or reckless.

25. Mr. Brown intentionally engaged in this behavior when he should have known that emotional distress would likely result.

26. Mr. Brown's conduct was outrageous, goes beyond the bounds of decency, and is regarded as odious and utterly intolerable in civilized community.

27. Mr. Brown's conduct caused Plaintiff emotional distress.

28. The emotional distress was severe and Plaintiff has suffered damages as a result.

WHEREFORE, Plaintiff requests damages, attorney's fees and costs, and such other and further relief as this Court deems necessary and just.

COUNT II – ASSAULT

29. Plaintiff re-alleges and incorporates by reference paragraphs 1 to 21 above as if fully set forth herein.

30. This is an action for assault.

31. Mr. Brown acted intending to cause a harmful or offensive contact with a third person or an imminent apprehension of such contact.

32. Plaintiff was put in such imminent apprehension of a harmful or offensive contact and suffered damages as a result of the assault.

WHEREFORE, Plaintiff requests damages, attorney's fees and costs, and such other and further relief as this Court deems necessary and just.

DATED: August 16, 2018

Respectfully submitted,

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