

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT,
IN AND FOR VOLUSIA COUNTY, FLORIDA

DOUGLAS STRONG,

Plaintiff,

CASE NO.:

DIVISION:

v.

THE CITY OF DAYTONA
BEACH,

Defendant.

_____ /

COMPLAINT

COMES NOW, the Plaintiff, DOUGLAS STRONG, by and through his undersigned attorney, sues the Defendant, THE CITY OF DAYTONA BEACH, and alleges the following:

1. This is a civil action for damages that exceeds the sum of fifty thousand dollars (\$50,000.00), exclusive of costs, interest, and attorney's fees (The estimated value of Plaintiff's claim is in excess of the minimum jurisdictional threshold required by this Court). Accordingly, the Plaintiff has entered "\$50,001.00" in the civil cover sheet for the "estimated amount of the claim" as required in the preamble to the civil court cover sheet for jurisdictional purposes only (the Florida Supreme Court has ordered that the estimated "amount of claim" be set forth in the civil cover sheet for data collection and clerical purposes only). The actual value of Plaintiff's claim will be determined by a fair and just jury in accordance with Article 1, Section 21, Fla. Const.

2. At all times material hereto, the Plaintiff, DOUGLAS STRONG, was a resident of Daytona Beach, Volusia County, Florida.

3. On or about July 12, 2022, and at all times material hereto, the Defendant, THE CITY OF DAYTONA BEACH, was a municipality organized under the laws of Florida.

4. Venue is proper with this Court because the incident giving rise to this cause of action occurred in Daytona Beach, Volusia County, Florida.

5. The Plaintiff, DOUGLAS STRONG, has complied with the notice requirement, pursuant to *Fla. Stat.* §768.28 and all other conditions precedent have been completed.

6. On or about July 12, 2022, and at all times material hereto, the Defendant, THE CITY OF DAYTONA BEACH, owned, operated, and maintained Daytona Beach Golf Club, Inc., located at 600 Wilder Boulevard in Daytona Beach, Florida.

7. On or about July 12, 2022, and at all times material hereto, the Defendant, THE CITY OF DAYTONA BEACH, owned and maintained a fleet of golf carts provided to guests for recreational use within the subject premises in furtherance of business.

8. On or about July 12, 2022, and at all times material hereto, the Defendant, THE CITY OF DAYTONA BEACH, was strictly liable for any injuries or damages caused by the use or operations of said golf cart, considered an “*inherently dangerous tool*,” pursuant to Fla. Stat. Sections 324.021(9)(b).

9. On or about July 12, 2022, James E. Connery, Jr. was an invited guest and patron at the Daytona Beach Golf Club and provided a golf cart for recreational use within the subject premises and in furtherance of business.

10. On or about July 12, 2022, the Plaintiff, DOUGLAS STRONG, was an invited guest and patron at the Daytona Beach Golf Club and provided a golf cart for recreational use within the subject premises and in furtherance of business.

11. On or about July 12, 2022, James E. Connery, Jr. operated said golf cart provided by and with the permission, consent, and/or under the direction of the Defendant, THE CITY OF DAYTONA BEACH, within the subject premises.

12. On or about July 12, 2022, the Plaintiff, DOUGLAS STRONG, operated said golf cart provided by and with the permission, consent, and/or under the direction of the Defendant, THE CITY OF DAYTONA BEACH, within the subject premises.

13. At said time and location, James E. Connery, Jr. negligently operated or maintained said golf cart owned and provided by the Defendant, THE CITY OF DAYTONA BEACH, so as to cause it to collide into the rear of the said golf cart being operated by the Plaintiff, DOUGLAS STRONG.

14. The said golf cart was being operated in a reckless, careless, and dangerous manner in which the Defendant, THE CITY OF DAYTONA BEACH, knew or should have known the “*inherently dangerous tool*” posed an obvious risk of harm to other patrons.

15. As a direct and proximate result of the above-described negligence, the Plaintiff, DOUGLAS STRONG, sustained bodily injuries resulting in pain and suffering, disability, mental anguish, loss of capacity for the enjoyment of life, and expense of medical care and treatment. Plaintiff’s losses are permanent or continuing and he will suffer such losses in the future.

WHEREFORE, the Plaintiff, DOUGLAS STRONG, demands judgment for damages against the Defendant, THE CITY OF DAYTONA BEACH, and demands a trial by jury.

CHANFRAU & CHANFRAU

Dated: March 6, 2025

/s/ William M. Chanfrau, Jr.
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