

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

CASE NO.:
DIVISION:

LAUREEN VARTANIAN,

Plaintiff,

v.

CITY OF PORT ORANGE,
FLORIDA,

Defendant.

_____/

COMPLAINT

Plaintiff LAUREEN VARTANIAN sues the Defendant the CITY OF PORT ORANGE, FLORIDA ("PORT ORANGE"), and alleges:

1. This is an action for damages in excess of \$50,001.00.
2. Plaintiff LAUREEN VARTANIAN is a resident of Port Orange, Volusia County, Florida.
3. Defendant PORT ORANGE is a municipality, organized and existing under the laws of the State of Florida, with its principal place of business located at 1000 City Center Circle, Port Orange, Volusia County, Florida.
4. At all relevant times, Defendant PORT ORANGE acted by and through its agents, servants and/or employees.
5. At all relevant times, Defendant PORT ORANGE was an agency or subdivision of the State of Florida that had waived its sovereign immunity by virtue of Fla. Stat. § 768.28.

6. All conditions precedent to the filing of this action have been performed, have occurred, or otherwise have been waived, including the notices of claim as required by Fla. Stat. § 768.28, which have been served on the Defendant PORT ORANGE and all appropriate entities. Copies of the notices of claim letters with proof of mailing and receipt are attached as **Exhibit “A.”**

7. On or about March 12, 2025, Plaintiff LAUREEN VARTANIAN was on the sidewalk in Town Park in Port Orange, Florida (“the subject area”).

8. At all relevant times, the subject area was owned, maintained, and/or controlled by Defendant PORT ORANGE.

9. At the above-mentioned time and location, Plaintiff, LAUREEN VARTANIAN was walking on the sidewalk when she was caused to trip and fall as a result of a dangerous, hazardous, and undisclosed uneven section of the sidewalk, thereby sustaining injuries.

10. Defendant PORT ORANGE had a duty to maintain the subject area in a reasonably safe condition and to warn the Plaintiff LAUREEN VARTANIAN of dangers that Defendant knew or should have known about in the exercise of reasonable care.

11. Defendant PORT ORANGE breached its duty of care when it negligently maintained, controlled, inspected, and failed to repair the subject area in such a way as to allow a dangerous condition to exist, and in the absence of any warning.

12. At all relevant times, Defendant PORT ORANGE and/or its agents or employees, knew that such dangerous condition existed, or said condition existed for a sufficient length of time such that the Defendant should have known of the hazardous condition.

13. As a result of the Defendant PORT ORANGE's negligence, Plaintiff LAUREEN VARTANIAN suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earnings, loss of the ability to earn money, and/or aggravation of a pre-existing condition. The losses are either permanent or continuing and the Plaintiff will suffer such losses in the future.

WHEREFORE, Plaintiff LAUREEN VARTANIAN demands judgment against Defendant CITY OF PORT ORANGE, FLORIDA for damages and demands a trial by jury.

RUE & ZIFFRA

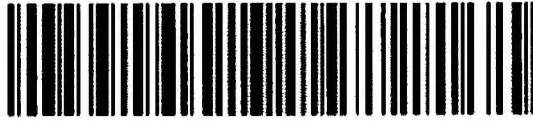
A handwritten signature in blue ink, appearing to read "Luis R. Gracia".

Luis R. Gracia, Esquire
632 Dunlawton Avenue
Port Orange, FL 32127
Phone: (386) 788-7700
FBN: 0152943
Email: lgracia@rueziffra.com
susanj@rueziffra.com
Attorney for the Plaintiff

EXHIBIT A

USPS CERTIFIED MAIL

Brittany Fernera
RUE AND ZIFFRA, P.A.
640 Dunlawton Ave
Port Orange, FL 32127



9414 8149 0291 2645 0700 17

Risk Mangement
State of Florida Department of Financial Services
200 E Gaines St
Suite 250
Tallahassee, FL 32399-6502

Shipper Ref: 46413



ATTORNEYS:

ALLAN L. ZIFFRA

LUIS R. GRACIA*

DAVID L. SWEAT

KIM E. BOUCK

DARREN COLEMAN

EDWARD S. RUE

MATTHEW J. MITCHELL

CHRISTY E. MONTOTO

JAKOB UZZLE

*Board Certified in
Social Security Disability
Law by the National
Board of Trial Advocacy

SEND ALL MAIL TO MAIN OFFICE:
PORT ORANGE
632 DUNLAWTON AVE.
PORT ORANGE, FL 32127
(386) 788-7700
(386) 788-8707 FAX

PALM COAST OFFICE
(386) 439-0249

DELAND OFFICE
(386) 734-5900

NEW SMYRNA BEACH
(386) 427-2220

LAKE MARY OFFICE
(407) 259-4485

WINTER PARK OFFICE
(407) 634-2250

**ORLANDO (SAND LAKE
ROAD) OFFICE**
(407) 329-3976

RUEZIFFRA.COM
ATTORNEYSFORBIKERS.COM

RUE & ZIFFRA

ATTORNEYS & COUNSELORS AT LAW

April 8, 2025

**CERTIFIED MAIL #: 9414 8419 0291 2645 0700 17
RETURN RECEIPT REQUESTED***

State of Florida Department of Financial Services
Attn: Risk Mangement
200 E. Gaines St.
Suite 250
Tallahassee, FL 32399

RE: Our Client: Laureen Vartanian
Date of Loss: 3/12/25
File Number: 46413

Dear Sir or Madam:

The purpose of this letter is to provide you with notice of a pending claim against the City of Port Orange, County of Volusia and/or its agents. Our claim is based on negligence. On the above-mentioned date our client was walking down the sidewalk when she tripped and fell due to an uneven pavement in front of 1604 Town Park Port Orange, FL 32129 My client sustained injuries to her right shoulder.

This notice is provided in accordance with Florida Statutes §768.28(6). You should be advised that suit will be filed in this cause within six (6) months from the date of this letter pursuant to the above statute.

The Full Name of the Claimant is: Laureen Vartanian
Claimant's Date of Birth:
Claimant's Social Security Number:
Claimant's Place of Birth:

Laureen Vartanian has indicated that there are no penalties, fines, fees victim restitution funds or other judgements in excess of \$200.00, whether imposed by a civil, criminal or administrative tribunal, owed to the state, its agencies, officers or subdivision.

Very truly yours,

Luis R. Gracia, Esquire
LRG/bbf

Cc: Florida Department of Financial Sevices, County of Volusia

Tracking Number:

7

Remove X

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was picked up at a postal facility at 11:31 am on April 18, 2025 in TALLAHASSEE, FL 32301.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Individual Picked Up at Postal Facility

TALLAHASSEE, FL 32301

April 18, 2025, 11:31 am

See All Tracking History

Feedback

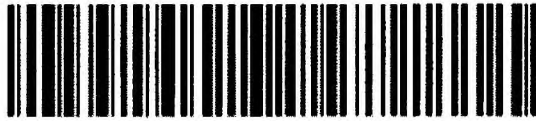
[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package) (<https://faq.usps.com/s/article/Where-is-my-package>)

- Text & Email Updates
- Return Receipt Electronic
- USPS Tracking Plus®
- Product Information

See Less ^

USPS CERTIFIED MAIL

Brittany Ferreira
RUE AND ZIFFRA, P.A.
640 Dunlawton Ave
Port Orange, FL 32127



9414 8149 0291 2645 0700 31

Legal Department/Risk Management
City of Port Orange
1000 City Center Cir
Port Orange, FL 32129-4144

Shipper Ref: 46413



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RUE & ZIFFRA

ATTORNEYS & COUNSELORS AT LAW

April 8, 2025

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Very truly yours,

Luis R. Gracia, Esquire
LRG/bbf

Cc: Florida Department of Financial Services, County of Volusia

Tracking Number:

70031

Remove X

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 11:03 am on April 14, 2025 in PORT ORANGE, FL 32129.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

PORT ORANGE, FL 32129

April 14, 2025, 11:03 am

See All Tracking History

What Do USPS Tracking Statuses Mean? (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates

Return Receipt Electronic

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Product Information

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