

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY, FLORIDA

**LEONOR OLEXA,**

CASE NUMBER:

Plaintiff,

vs.

**CITY OF SATELLITE BEACH,**

Defendant.

\_\_\_\_\_ /

**COMPLAINT FOR DAMAGES AND JURY DEMAND**

**COMES NOW**, the Plaintiff, **LEONOR OLEXA** ("LEONOR"), by and through her undersigned attorneys, and hereby sues the Defendant, **CITY OF SATELLITE BEACH** ("CITY"), and states the following:

**INTRODUCTION**

1. The Plaintiff, **LEONOR OLEXA**, is entitled to monetary damages because **CITY** wrongfully discharged, intimidated, and/or coerced **LEONOR** for filing or attempting to file a claim for workers' compensation benefits.

**PARTIES**

2. **LEONOR** is a resident of Brevard County, Florida, over the age of majority, and otherwise *sui juris*.

3. **CITY** is a municipal corporation in Brevard County in the State of Florida.

**JURISDICTION AND VENUE**

4. This action is for damages in excess of \$15,000.00.

5. Venue is proper in Brevard County, Florida because the cause of action accrued in Brevard County, Florida.

### **STATEMENT OF FACTS**

6. At all relevant times, CITY was an "employer" as CITY as defined by §440.02(16) Fla. Stat.

7. At all relevant times, LEONOR was an employee of CITY as defined by §440.02(15) Fla. Stat.

8. On October 24, 2018 LEONOR suffered an injury while acting in the course and scope of her employment.

9. Specifically, on October 24, 2018, LEONOR was the first to report for work. As she was unlocking the front door to City Hall, the door fell on LEONOR, causing severe injuries.

10. LEONOR notified her supervisor, Thomas Albinus, about the injury.

11. LEONOR was treated and continues to receive treatment for her work-related injury.

12. LEONOR timely filed a worker's compensation claim to CITY, her employer, under the Workers' Compensation Law.

13. LEONOR was terminated without good cause.

14. Instead, LEONOR's termination was motivated by LEONOR's filing or attempt to file a workers' compensation.

15. All conditions precedent prior to bringing this lawsuit have been performed or have occurred.

### **COUNT I – VIOLATIONS OF §440.205, FLA. STAT.**

16. LEONOR re-asserts and re-alleges the allegations in paragraphs 1 through 15 as if fully set forth herein.

17. §440.205, Fla. Stat., states “[n]o employer shall discharge, threaten to discharge, intimidate, or coerce any employee by reason of such employee’s valid claim for compensation or attempt to claim compensation under the Worker’s Compensation Law.”

18. Because of LEONOR’s filing of, or attempt to file, a valid claim for workers’ compensation benefits, CITY discharged and intimidated LEONOR.

19. CITY’s actions were willful, wanton, and outrageous and without regard to LEONOR’s rights and feelings.

20. As a result of CITY’s conduct, LEONOR has sustained economic and emotional damages.

**WHEREFORE**, LEONOR demands judgment against CITY and relief in the form of economic damages, including lost wages, benefits, and other remuneration; reinstatement of full fringe benefits; front and back pay; any other compensatory damages allowable under law, including emotion pain and suffering; attorney’s fees to the extent permitted by law and costs; emotional distress damages, prejudgment and post judgment interest, and any other relief the Court deems just and proper.

**DEMAND FOR JURY TRIAL**

The Plaintiff, LEONOR OLEXA, demands trial by jury on all issues so triable.

**ROONEY & ROONEY, P.A.**  
1517 20<sup>th</sup> Street  
Vero Beach, Florida 32960  
(772) 778-5400 / (772) 778-5290 (fax)  
Attorneys for Plaintiff

By: 

J. Garry Rooney  
FBN: 133574

Alexandra Noelle Sanchez  
FBN: 126938

Attorneys@RooneyandRooneyLaw.com

Page 3 of 3