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IN THE CIRCUIT COURT OF THE 20TH
JUDICIAL CIRCUIT OF AND FOR
COLLIER COUNTRY, FLORIDA

CASE NO.:

BRIAN ROLAND, NICOLE ROLAND and
BRIAN AND NICOLE ROLAND, as parents
and natural guardians on behalf of
REMINGTON ROLAND

Plaintiffs,

vs.

NEW COUNTRY MOTOR CARS OF NAPLES, LLC
d/b/a FERRARI OF NAPLES, a Florida Limited
Liability Company, INTERLUXE GROUP, INC.,
a Foreign Profit Company, ENVIROSTRUCT, LLC,
a Florida Limited Liability Company, ELITE
CONSULTING OF SWFL, LLC d/b/a ELITE PERMITS
OF NAPLES, a Florida Limited Liability Company,
COLLIER COUNTY BOARD OF COUNTY COMMISSIONERS,
MINER ENTERPRISES d/b/a AUTOQUIP CORPORATION, a Florida Corporation,
SNAP-ON INCORPORATED, a Foreign Profit Corporation

Defendants,
_____/

COMPLAINT

Plaintiffs, BRIAN ROLAND, NICOLE ROLAND, and BRIAN and NICOLE ROLAND, as parents and natural guardians on behalf of REMINGTON ROLAND, by and through undersigned counsel, sues Defendants, NEW COUNTRY MOTOR CARS OF NAPLES, LLC, d/b/a FERRARI OF NAPLES, a Florida Limited Liability Company, (hereinafter "FERRARI"), INTERLUXE GROUP, INC., a Foreign For Profit Company, (hereinafter "INTERLUXE"), ENVIROSTRUCT, LLC., a Florida Limited Liability Company, (hereinafter "ENVIROSTRUCT"), ELITE CONSULTING OF SWFL, LLC d/b/a ELITE PERMITS OF NAPLES, a Florida Limited Liability Company, (hereinafter "ELITE"), COLLIER COUNTY BOARD OF COUNTY COMMISSIONERS, (hereinafter "COUNTY"), and MINER

ENTERPRISE, d/b/a AUTOQUIP CORPORATION, a Florida For Profit Company, (hereinafter "AUTOQUIP"), SNAP-ON INCORPORATED, a Foreign Profit Corporation, (hereinafter "SNAP-ON"), and in support thereof would state as follows:

JURISDICTION AND VENUE

1. This action is for money damages which exceeds fifty thousand ($50,000.00) dollars.

2. At all material times hereto, BRIAN ROLAND, a natural person, was a resident of Collier County, Florida.

3. At all material times hereto, NICOLE ROLAND, a natural person, was a resident of Collier County, Florida.

4. At all material times hereto, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND were residents of Collier County, Florida.

5. At all material times hereto, FERRARI, as a Florida limited liability company, was authorized to conduct business in Florida, including Collier County, Florida.

6. At all material times hereto, INTERLUXE, as a foreign for-profit company, was authorized to conduct business in Florida, including Collier County, Florida. Additionally, jurisdiction is appropriate pursuant to 48.193 Florida Statute as INTERLUXE operates, conducts, engages or carries on a business and/or business ventures in this state.

7. At all material times hereto, ENVIROSTRUCT, LLC., a Florida Limited Liability Company, was authorized to conduct business in Florida, including Collier County, Florida.

8. At all material times hereto, ELITE CONSULTING OF SWFL LLC, Florida Limited Liability Company, was authorized to conduct business in Florida, including Collier County.

9. At all material times hereto, COLLIER COUNTY BOARD OF COUNTY COMMISSIONERS, was authorized to conduct business in Collier County, Florida.

10. At all material times hereto, AUTOQUIP, a foreign profit corporation, was authorized to conduct business in Florida, including Collier County, Florida. Additionally, jurisdiction is appropriate pursuant to 48.193 Florida Statute as AUTOQUIP operates, conducts, engages or carries on business or business venture in this state. Through acts or omissions, AUTOQUIP, has caused injury to Plaintiffs within the state through design, processing, servicing and/or manufacturing of a vertical reciprocating conveyor which was sold, consumed, and placed into Florida in the ordinary course of commerce, trade, or use.

11. At all material times hereto, SNAP-ON, a foreign profit corporation, was authorized to conduct business in Florida, including Collier County, Florida. Additionally, jurisdiction is appropriate pursuant to 48.193 Florida Statute as SNAP-ON operates, conducts, engages or carries on a business or business venture in this state. Through acts or omissions, SNAP-ON, has caused injury to Plaintiffs within the state through design, processing, servicing, distributing and/or manufacturing of a vertical reciprocating conveyor (hereinafter "car lift," "VRC" or "conveyor") which was sold, consumed, and placed into Florida in the ordinary course of commerce, trade or use.

12. Venue is proper in Collier County, Florida as the accident and injuries which are the subject of this lawsuit occurred in Naples, Collier County, Florida.

GENERAL ALLEGATIONS

13. On December 4, 2021, BRIAN ROLAND, was on the premises of FERRARI as an invitee, providing catering services for FERRARI's grand opening party.

14. FERRARI hired INTERLUXE to act on its behalf to plan the grand opening party and to serve as liaison between FERRARI and vendors, including BRIAN ROLAND's catering company, Crave Culinaire.

15. FERRARI oversaw and controlled the actions of INTERLUXE regarding the planning, organization, and execution of the grand opening party.

16. FERRARI instructed INTERLUXE that BRIAN ROLAND and employees of Crave Culinaire, should use the car lift to transport equipment and supplies from the ground floor to the second floor to in order setup and breakdown for the grand opening party.

17. Based upon FERRARI's control and directions to INTERLUXE, an employee of INTERLUXE instructed BRIAN ROLAND and employees of Crave Culinaire to use the car lift to transport equipment and supplies from the ground floor to the second floor.

18. FERARRI, knew or should have known, that BRIAN ROLAND and Crave Culinaire employees would use the car lift for the grand opening party because employees of FERARRI demonstrated how to operate the car lift and also rode on the car lift with Brian and staff prior to Crave Culinaire setting up for the grand opening event.

19. Additionally, FERARRI, knew or should have known that BRIAN ROLAND and employees of Crave Culinaire would use the car lift for the grand opening party because FERARRI had instructed BRIAN ROLAND to ride the car lift on several other occasions.

20. FERRARI employees were present the entire time that BRIAN ROLAND and employees of Crave Culinaire were on the FERRARI premises, and they knew or should have known that BRIAN ROLAND and employees of Crave Culinaire rode the car lift to transport equipment and supplies between the ground and second floor.

21. BRIAN ROLAND and employees of Crave Culinaire rode the car lift to transport equipment and supplies from the ground floor to the second floor in order to set up for the event and then again at the end of the evening to break down the event.

22. At the end of the grand opening event, BRIAN ROLAND received specific permission from FERARRI and INTERLUXE employees that he and his staff could use the car lift to transport supplies and equipment from the second floor to the ground floor.

23. BRIAN ROLAND entered the car lift from the second floor to take down one of the last loads of the event. While on the car lift, he fell through a 22-inch gap which existed between the end of the car lift platform and the wall, where he landed on the ground floor of the car lift shaft.

24. As BRIAN ROLAND laid unconscious on the ground floor the car lift descended and crushed him, pinning him between the car lift and the ground.

25. BRIAN ROLAND was extracted from underneath the car lift and transported for emergent medical treatment as a result of his significant traumatic injuries caused by his fall from the car lift.

26. FERRARI should not have allowed BRIAN ROLAND or employees of Crave Culinaire to use the car lift because it knew or should have known that the car lift was not designed or intended for passenger use.

27. FERRARI should not have allowed BRIAN ROLAND or employees of Crave Culinaire to use the car lift because FERRARI's own policy and procedure prohibited passengers from riding on the car lift.

28. FERRARI knew or should have known that passengers were not allowed to ride the car lift pursuant to local, state, and federal laws, ordinances, and regulations.

29. INTERLUXE should not have instructed BRIAN ROLAND or employees of Crave Culinaire to use the car lift because it knew or should have known that the car lift was not designed or intended for passenger use.

30. At all material times, the car lift did not have any warnings advising personnel that passengers should not ride the lift or to warn of the dangers of riding the car lift.

31. At all materials times, AUTOQUIP designed and/or manufactured the car lift which caused injury to Plaintiffs.

32. At all material times, AUTOQUIP researched, designed, tested, developed, manufactured, marketed advertised, distributed, and sold the subject car lift for profit to FERRARI and/or SNAP-ON in Collier County, Florida and thereby placed the car lift in the stream of commerce which caused injury to Plaintiff.

33. At all material times, SNAP-ON sold and/or distributed the car lift for profit in Collier County, Florida and thereby placed the car lift in the stream of commerce which caused injury to Plaintiff.

34. At all material times, the car lift was maintained in a condition which was without substantial change from its condition when it left the custody and control of AUTOQUIP.

35. At all material times, the car lift was maintained in a condition which was without substantial change from its condition when it left the custody and control of SNAP-ON.

36. ENVIROSTRUCT, LLC served as general contractor of the FERRARI premises and oversaw the construction and installation of the car lift.

37. ENVIROSTRUCT hired ELITE to inspect the premises, obtain permits, including, but not limited to obtaining permits for the construction of the car lift and to act as a surrogate for the County.

38. ELITE inspected the premises, obtained building permits for the construction of the FERRARI premises, and acted as a surrogate for the County.

39. The County inspected the premises, including the car lift, and issued the Certificate of Occupancy on April 2, 2021.

40. As designed, manufactured, marketed, and sold, the subject car lift was designed and intended for transporting loads, including motor vehicles.

41. As designed, manufactured, marketed, and sold, the subject car lift was not designed or intended to transport passengers, such as BRIAN ROLAND.

42. The AUTOQUIP instructions for the car lift indicated that the lift should be installed with a gap between the edge of the car lift platform and wall of no more than one (1) inch.

43. At the time of the car lift's installation, ENVIROSTRUCT, knew or should have known that a twenty-two (22) inch gap existed between the edge of the car lift platform and the wall when the car lift was located on the second floor.

44. ENVIROSTRUCT knew or should have known that the twenty-two (22) inch gap created a fall hazard and was not in compliance with local, state, or federal laws, ordinances, and regulations, nor compliant with the manufacturer's instructions.

45. ELITE knew or should have known that a twenty-two (22) inch gap existed between the edge of the platform of the car lift and the wall when the car lift was located on the second floor.

46. ELITE knew or should have known that the twenty-two (22) inch gap created a fall hazard and was not in compliance with local, state, or federal laws, ordinances, and regulations, nor compliant with the manufacturer's instructions.

47. Despite this actual and/or constructive knowledge ENVIROSTRUCT and ELITE failed to correct this defect in construction of the car lift, allowing a fall hazard to exist on the car lift.

48. The County also ignored the twenty-two (22) inch gap between the car lift platform's edge and the wall, which created a fall hazard and violated local, state, and federal laws, ordinances, and regulations.

49. The twenty-two (22) inch gap allowed a space to exist between the edge of the car lift's platform and the wall where objects, including passengers, could fall to the ground floor.

50. At all material times, the twenty-two (22) inch gap existed and created a fall hazard for BRIAN ROLAND.

51. Despite required by the building plans, the car lift lacked guardrails to protect passengers from the twenty-two (22) inch gap which caused or contributed to BRIAN ROLAND's fall and injuries.

52. At no time, were guardrails recommended, purchased, or installed on the car lift.

53. At all material times, the car lift was poorly luminated which created a dangerous condition for individuals using and/or riding the lift which caused or contributed to BRIAN ROLAND'S fall and injuries.

54. All conditions precedent have been performed or have occurred.

COUNT I
NEGLIGENCE OF FERRARI

Plaintiff, BRIAN ROLAND, incorporates herein and realleges paragraphs 1-54.

55. At all material times, FERRARI owned the property located at 11291 Tamiami Trail North, Naples, Florida which contained the car lift at issue in this case.

56. FEARRARI knew or should have known that the car lift was not designed for passengers.

57. FERARRI owed BRIAN ROLAND a duty of reasonable care to protect him from known dangers on the premises.

58. FERARRI created a foreseeable zone of risk by allowing passengers to ride on the car lift at the grand opening event on December 4, 2021.

59. FERARRI breached that duty by:

a. Negligently directing BRIAN ROLAND to use the car lift.

b. Failing to provide adequate training to BRIAN ROLAND and employees of Crave Culinaire on how to operate the car lift.

c. Failing to provide a trained individual to operate the car lift

d. Failing to warn BRIAN ROLAND that passengers were not allowed to ride the car lift.

e. Failing to warn BRIAN ROLAND that a twenty-two (22) inch gap existed between the edge of the car lift platform and the wall when the car lift was located on the second floor.

f. Failing to provide adequate guardrails and other fall prevention equipment to protect BRIAN ROLAND from falling from the second floor.

g. Failing to ensure warning signs were on the lift to instruct people that riders were not allowed on the lift.

h. Failing to provide adequate lighting to operate the car lift safely.

i. Failing to ensure that warning labels were attached to the car lift.

j. Other acts of negligence that may become known through discovery.

60. As a direct and proximate result of the negligence of FERARRI as set forth above, Plaintiff, BRIAN ROLAND, suffered bodily injury and resulting pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity

for the enjoyment of life, incurred expenses of hospitalization, medical, physical therapy and nursing care and treatment, loss of earnings, loss of ability to earn money and/or suffered an aggravation of a previously existing condition, disease or physical defect and/or suffered activated a latent condition, disease or physical defect. BRIAN ROLAND's losses are either permanent or continuing and plaintiff will suffer the losses in the future.

WHEREFORE, Plaintiff, BRIAN ROLAND, sues Defendant, FERRARI for compensatory damages, costs and interest and demands trial by jury of all issues so triable as a matter of right.

COUNT II
NEGLIGENCE PER SE AGAINST FERRARI

Plaintiff, BRIAN ROLAND, incorporates herein and realleges paragraphs 1-54.

61. At all material times, FERRARI owned the property located at 11291 Tamiami Trail North, Naples, Florida which contained the car lift at issue in this case.

62. At all material times, FERRARI maintained, used, and operated the car lift which was governed statutes and regulations.

63. These statutes and regulations were designed to protect individuals from harm, specifically from falling from the car lift.

64. Plaintiff Brian Roland was the part of the protected class of people the statutes and regulations were designed to protect from falling from the car lift.

65. FERRARI allowed Brian Roland to ride the car lift where he fell and suffered serious injuries violated the following statutes and regulations:

a. OSHA 29 C.F.R. 1.910.212(a)(1) and ASME B20.1, Section 6.21 prohibits passengers from riding the car lift.

b. ASME B20.1 Sections 6.21, 5.13.4, 5.9.1.3 and 3.3 required warnings on the car lift advising passengers were prohibited from riding the car lift.

c. ASME B20.1, Section 5.12 required operators of the car lift to be trained under normal and emergency conditions.

d. ASME B20.1, section 1.3.6 prohibits the twenty-two (22) inch gap between the car lift platform and the wall while the car lift was on the second floor.

f. OSHA 29 C.F.R. 1.910.29(b)(1) required guardrails and other fall prevention equipment and for said guardrails to be at least 42 inches in height.

66. As a direct and proximate result of the negligence per se of FERARRI as set forth above, Plaintiff, BRIAN ROLAND, suffered bodily injury and resulting pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, incurred expenses of hospitalization, medical, physical therapy and nursing care and treatment, loss of earnings, loss of ability to earn money and/or suffered an aggravation of a previously existing condition, disease or physical defect and/or suffered activated a latent condition, disease or physical defect. BRIAN ROLAND's losses are either permanent or continuing and plaintiff will suffer the losses in the future.

WHEREFORE, Plaintiff, BRIAN ROLAND, sues Defendant, FERRARI for compensatory damages, costs and interest and demands trial by jury of all issues so triable as a matter of right.

COUNT III
NEGLIGENCE OF INTERLUXE

Plaintiff, BRIAN ROLAND, incorporates herein and realleges paragraphs 1-54.

67. At all material times, INTERLUXE, was hired by FERARRI to serve as its agent to coordinate and organize its grand opening party.

68. At all material times, INTERLUXE directed BRIAN ROLAND to use the car lift to transport equipment and supplies between the ground floor and the second floor.

69. At all material times, INTERLUXE directed BRIAN ROLAND not to use the passenger elevators.

70. INTERLUXE knew or should have known that the car lift was not designed for passengers.

71. INTERLUXE knew or should have known that a large twenty-two (22) inch gap existed between the platform of the car lift and the garage wall on the second floor.

72. INTERLUXE owed BRIAN ROLAND a duty of reasonable care.

73. INTERLUXE created a foreseeable zone of risk by directing BRIAN ROLAND to use the car lift.

74. INTERLUXE breached that duty by:

a. Negligently directing BRIAN ROLAND to use the car lift.

b. Failing to ensure BRIAN ROLAND and his employees received proper training on how to operate the car lift.

c. Failing to warn BRIAN ROLAND that passengers were not allowed to ride the car lift.

d. Failing to warn BRIAN ROLAND that a twenty-two (22) inch gap existed between the car lift platform and the wall when the car lift was located on the second floor.

e. Failing to provide adequate lighting to operate the car lift safely.

f. Other acts of negligence that may become known through discovery.

75. As a direct and proximate result of the negligence of INTERLUXE as set forth above, Plaintiff, BRIAN ROLAND, suffered bodily injury and resulting pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, incurred expenses of hospitalization, medical, physical therapy and

nursing care and treatment, loss of earnings, loss of ability to earn money and/or suffered an aggravation of a previously existing condition, disease or physical defect and/or suffered activated a latent condition, disease or physical defect. BRIAN ROLAND's losses are either permanent or continuing and plaintiff will suffer the losses in the future.

WHEREFORE, Plaintiff, BRIAN ROLAND, sues Defendant, INTERLUXE for compensatory damages, costs and interest and demands trial by jury of all issues so triable as a matter of right.

COUNT IV
NEGLIGENCE OF ENVIROSTRUCT

Plaintiff, BRIAN ROLAND, incorporates herein and realleges paragraphs 1-54.

76. At all material times, EVIROSTRUCT, served as general contractor for the construction of the FERRARI dealership, including the car lift.

77. ENVIROSTRUCT knew should have known that the car lift was not designed and was not safe for pa

78. ENVIROSTRUCT owed BRIAN ROLAND a duty of reasonable care to construct the car lift pursuant to applicable rules, standards, and laws.

79. ENVIROSTRUCT created a foreseeable zone of risk by failing to construct the car lift pursuant to applicable rules, standards, and laws.

80. ENVIROSTRUCT further breached its duty by:

a. Failing to construct the car lift in compliance with applicable rules, standards, and local, state, and federal laws.

b. Failing to warn BRIAN ROLAND that passengers were not allowed to ride the car lift.

c. Failing to warn BRIAN ROLAND that a twenty-two (22) inch gap existed when the car lift was located on the second floor.

d. Failing to ensure that warning labels were affixed to the car lift.

e. Failing to provide adequate guardrails and other fall prevention equipment to protect BRIAN ROLAND from falling from the second floor.

f. Failing to provide adequate lighting for the car lift.

g. Failing to ensure that the construction was compliant with all local, state, and federal rules and regulations before applying for the permit and/or Certificate of Occupancy.

h. Failing to supervise the installation of the car lift to ensure that it was complaint with local, state, and federal regulations.

i. Failing to ensure warning signs on the lift to instruct people that riders were not allowed on the lift.

j. Other acts of negligence that may become known through discovery.

82.As a direct and proximate result of the negligence of ENVIROSTRUCT as set forth above, Plaintiff, E

WHEREFORE, Plaintiff, BRIAN ROLAND, sues Defendant, ENVIROSTRUCT for compensatory damages, costs and interest and demands trial by jury of all issues so triable as a matter of right.

COUNT V
NEGLIGENCE OF ELITE

Plaintiff, BRIAN ROLAND, incorporates and realleges paragraphs 1-54 herein.

83. At all material times, ELITE, inspected the premises and assisted general contractor, ENVIROSTRUCT, with the permitting process for construction of FERRARI dealership, including the car lift.

84. ELITE knew or should have known that the car lift was not designed for passengers and failed to ensure warning labels were placed on the car lift.

85. ELITE owed BRIAN ROLAND a duty of reasonable care to ensure the car lift was constructed pursuant to applicable rules and standards.

86. ELITE created a foreseeable zone of risk by failing identify the numerous ways the car lift failed to meet applicable rules and standards.

87. ELITE further breached its duty by:

a. Failing to ensure warning labels were affixed to the car lift

b. Failing to ensure that the twenty-two (22) inch gap between the car lift platform and the wall was corrected

c. Failing to ensure adequate guardrails and other fall prevention equipment were installed to protect BRIAN ROLAND from falling from car lift

d. Failing to ensure the car lift had adequate lighting

e. Other acts of negligence that may become known through discovery.

88. As a direct and proximate result of the negligence of ELITE as set forth above, Plaintiff, BRIAN ROLAND, suffered bodily injury and resulting pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, incurred expenses of hospitalization, medical, physical therapy and nursing care and treatment, loss of earnings, loss of ability to earn money and/or suffered an aggravation of a previously existing condition, disease or physical defect and/or suffered activated a latent condition, disease or physical defect. BRIAN ROLAND's losses are either permanent or continuing and plaintiff will suffer the losses in the future.

WHEREFORE, Plaintiff, BRIAN ROLAND, sues Defendant, ELITE for compensatory damages, costs and interest and demands trial by jury of all issues so triable as a matter of right.

COUNT VI
NEGLIGENCE OF COLLIER COUNTY

Plaintiff, BRIAN ROLAND, incorporates herein and realleges paragraphs 1-54.

89. At all material times, County, reviewed permit applications, inspected the premises, and approved and issued the Certificate of Occupancy for construction of the FERRARI dealership, including the car lift.

90. The County knew or should have known that the car lift was not designed for passengers.

91. The County should have required warning labels to be affixed on the car lift before issuing the Certificate of Occupancy.

92. The County should have required that the twenty-two (22) in gap was corrected before issuing the Certificate of Occupancy.

93. The County owed BRIAN ROLAND a duty of reasonable care to inspect the Ferrari premises and the car lift during construction to ensure the car lift conformed to applicable rules and standards.

94. The County created a foreseeable zone of risk by failing to ensure the car lift was constructed to meet applicable rules and standards.

95. The County further breached its duty by:

a. Negligently approving the permits and/or Certificate of Occupancy despite the existence of a twenty-two (22) inch gap when the car lift was located on the second floor which was patent and obvious to a reasonable person.

b. Failing to ensure warnings existed on the car lift advising that passengers were not allowed to ride the car lift prior to issuing the Certificate of Occupancy.

c. Failing to require that the twenty-two (22) inch gap between the car lift platform and the wall be corrected prior to issuing the Certificate of Occupancy.

d. Failing to ensure adequate guardrails and other fall prevention equipment were installed on the car lift prior to issuing the Certificate of Occupancy.

e. Failing to ensure the car lift had adequate lighting prior to issuing the Certificate of Occupancy.

f. Other acts of negligence that may become known through discovery.

96. As a direct and proximate result of the negligence of County as set forth above, Plaintiff, BRIAN ROLAND, suffered bodily injury and resulting pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, incurred expenses of hospitalization, medical, physical therapy and nursing care and treatment, loss of earnings, loss of ability to earn money and/or suffered an aggravation of a previously existing condition, disease or physical defect and/or suffered activated a latent condition, disease or physical defect. BRIAN ROLAND's losses are either permanent or continuing and plaintiff will suffer the losses in the future.

WHEREFORE, Plaintiff, BRIAN ROLAND, sues Defendant, County for compensatory damages, costs and interest and demands trial by jury of all issues so triable as a matter of right.

COUNT VII
NEGLIGENCE OF AUTOQUIP

Plaintiff, BRIAN ROLAND, incorporates herein and realleges paragraphs 1-54.

97. At all material times, AUTOQUIP, owed a duty of care to Plaintiff and other foreseeable users to provide a product that is safe for its expected use.

98. At all material times, AUTOQUIP, acted through its employees, agents, servants, representatives, subsidiaries, partners, and joint venturers in designing, developing, manufacturing, assembling, advertising, distributing and sell the subject car lift.

99. AUTOQUIP was negligent and breached its duties of care to Plaintiff, including, but not limited to the following ways:

a. Failing to design, manufacture and equip the car lift with adequate safety features for passengers.

b. Failing to design, manufacturer and equip the car lift with adequate, safe guardrails and other safety features to prevent passengers from falling off the car lift.

c. Failing to design, manufacture and equip the car lift with adequate warnings or instructions that the car lift was not designed for passengers to ride.

d. Failing to design, manufacture and equip the car lift with warnings and/or instructions regarding the dangers connected with passenger riding the car lift.

e. Failing to assist FERARRI with all licensing, permitting and compliance with ASME.

f. Failing to use and apply good, safe, usual, prevailing and reasonable engineering principles and standards in designing, equipping, manufacturing, assembling, marketing and distributing the car lift.

g. Failing to recall and correct defective characteristics of the car lift despite having notice that its defective car lift had caused injury or damage prior to the time of the subject injury to Plaintiff.

h. Other acts of negligence that may become known through discovery.

100. As a direct and proximate result of the negligent design, manufacturing and condition of the car lift by AUTOQUIP as set forth above, Plaintiff, BRIAN ROLAND, suffered bodily injury and resulting pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, incurred expenses of hospitalization, medical, physical therapy and nursing care and treatment, loss of earnings, loss of ability to earn money and/or suffered an aggravation of a previously existing condition,

disease or physical defect and/or suffered activated a latent condition, disease or physical defect. BRIAN ROLAND's losses are either permanent or continuing and he will suffer the losses in the future.

WHEREFORE, Plaintiff, BRIAN ROLAND, sues Defendant, AUTOQUIP for compensatory damages, costs and interest and demands trial by jury of all issues so triable as a matter of right.

COUNT VIII
STRICT LIABILITY OF AUTOQUIP

Plaintiff, BRIAN ROLAND, incorporates herein and realleges paragraphs 1-54.

101. AUTOQUIP designed, tested, developed, manufactured, assembled, marketed, advertised, distributed, and sold the subject car lift in a defective condition unreasonably dangerous to the use as the car lift was expected to be used, and how it was used by Plaintiff on the date of the accident.

102. At all material times, AUTOQUIP acted through its employees, agents, servants, representatives, subsidiaries, partners, and joint ventures in designing, developing, manufacturing, assembling, marketing, advertising, distributing, and selling the subject car lift.

103. The car lift was defective for the following reasons, among others:

a. The car lift was not reasonably safe as designed.

b. The car lift was unsafe to an extent beyond which would be contemplated by an ordinary user.

c. Adequate warnings and instructions regarding the car lift were not provided with the car lift at the time of its manufacture.

d. The car lift was unsafe to an extent beyond that which would be contemplated by an ordinary user.

e. Adequate warnings and instructions regarding the car lift were not provided at the time of the manufacture.

f. The design, configuration, placement, location, and manufacture of the car lift were not reasonably safe.

g. The design, configuration, placement, location, manufacture and operation of the car lift were unsafe to an extent beyond which would be contemplated by an ordinary user.

h. Adequate warnings and instructions regarding the car lift were not provided at the time it was manufactured.

i. The car lift was negligently designed, manufactured, and sold in a manner that would not allow for use in the customary and reasonable fashion contemplated by an ordinary user.

j. Other defective and unsafe conditions that may become known through discovery.

104. The car lift was defectively designed because at all times it failed to perform safely, as ordinary users have a right to expect or within reasonable consumer expectations.

105. The car lift was defectively design because the risk of danger inherent in the car lift outweighs its benefits.

106. As a direct and proximate result of the negligent design, manufacturing and condition of the car lift by AUTOQUIP as set forth above, Plaintiff, BRIAN ROLAND, suffered bodily injury and resulting pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, incurred expenses of hospitalization, medical, physical therapy and nursing care and treatment, loss of earnings, loss of ability to earn money and/or suffered an aggravation of a previously existing condition, disease or physical defect and/or suffered activated a latent condition, disease or physical defect.

BRIAN ROLAND's losses are either permanent or continuing and he will suffer the losses in the future.

WHEREFORE, Plaintiff, BRIAN ROLAND, sues Defendant, AUTOQUIP for compensatory damages, costs and interest and demands trial by jury of all issues so triable as a matter of right.

COUNT IX
NEGLIGENCE OF SNAP-ON

Plaintiff, BRIAN ROLAND, incorporates herein and realleges paragraphs 1-54.

107. At all material times, SNAP-ON, owed a duty of care to Plaintiff and other foreseeable users to provide a product that is safe for its expected use.

108. At all material times, SNAP-ON, acted through its employees, agents, servants, representatives, subsidiaries, partners, and joint venturers in advertising, distributing, and selling the subject car lift.

109. At all material times, SNAP-ON, hired Automotive Development Group to install the car lift. Automotive Development group was SNAP-ON's agent that was hired to install the car lift.

110. SNAP-ON hired Automotive Development Group even though they were not qualified or trained to properly install the car lift and failed to install the car lift according to Autoquip's instructions.

111. SNAP-ON and agent Automotive Development Group were negligent and breached its duties of care to Plaintiff, including, but not limited to the following ways:

a. Failing to design, distribute and sell the car lift with adequate safety features for passengers.

b. Failing to design, distribute and sell the car lift with adequate, safe guardrails and other safety features to prevent passengers from falling off the car lift.

c. Failing to design, distribute and sell the car lift with adequate warnings or instructions that the car lift was not designed for passengers to ride.

d. Failing to design, distribute and sell the car lift with warnings and/or instructions regarding the dangers of passengers riding of the car lift.

e. Failing to recall and correct defective characteristics of the car lift despite having notice that its defective car lift had caused injury or damage prior to the time of the subject injury to Plaintiff.

f. Failing to hire a qualified installer to properly install the car lift.

g. Other acts of negligence that may become known through discovery.

112. As a direct and proximate result of the negligent advertising, distribution and sale of the car lift by SNAP-ON as set forth above, Plaintiff, BRIAN ROLAND, suffered bodily injury and resulting pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, incurred expenses of hospitalization, medical, physical therapy and nursing care and treatment, loss of earnings, loss of ability to earn money and/or suffered an aggravation of a previously existing condition, disease or physical defect and/or suffered activated a latent condition, disease or physical defect. BRIAN ROLAND's losses are either permanent or continuing and he will suffer the losses in the future.

WHEREFORE, Plaintiff, BRIAN ROLAND, sues Defendant, SNAP-ON for compensatory damages, costs and interest and demands trial by jury of all issues so triable as a matter of right.

COUNT X
STRICT LIABILITY OF SNAP-ON

Plaintiff, BRIAN ROLAND, incorporates herein and realleges paragraphs 1-54 herein.

113. SNAP-ON advertised, distributed, and sold the subject car lift in a defective condition unreasonably dangerous that was expected to be used, and how it was used by Plaintiff on the date of the accident.

114. At all material times, SNAP-ON acted through its employees, agents, servants, representatives, subsidiaries, partners, and joint venturers in advertising, distributing, and selling the subject care lift.

115. The car lift was defective for the following reasons, among others:

a. The car lift was not reasonably safe as designed.

b. The car lift was unsafe to an extent beyond which would be contemplated by an ordinary user.

c. Adequate warnings and instructions regarding the car lift were not provided with the car lift at the time of its manufacture.

d. The car lift was unsafe to an extent beyond that which would be contemplated by an ordinary user.

e. Adequate warnings and instructions regarding the car lift were not provided at the time of the manufacture.

f. The design, configuration, placement, location, and manufacture of the car lift were not reasonably safe.

g. The design, configuration, placement, location, manufacture and operation of the car lift were unsafe to an extent beyond which would be contemplated by an ordinary user.

h. Adequate warnings and instructions regarding the car lift were not provided at the time of the manufacture.

i. The car lift was negligently designed, manufactured, and sold in a manner that would not allow for use in the customary and reasonable fashion contemplated by an ordinary user.

j. Other defective and unsafe conditions that may become known through discovery.

116. The car lift was defectively designed because at all times it failed to perform safely, as ordinary users have a right to expect or within reasonable consumer expectations.

117. The car lift was defectively design because the risk of danger inherent in the car lift outweighs its benefits.

118. As a direct and proximate result of the negligent advertising, distributing and selling the car lift by SNAP-ON as set forth above, Plaintiff, BRIAN ROLAND, suffered bodily injury and resulting pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, incurred expenses of hospitalization, medical, physical therapy and nursing care and treatment, loss of earnings, loss of ability to earn money and/or suffered an aggravation of a previously existing condition, disease or physical defect and/or suffered activated a latent condition, disease or physical defect. BRIAN ROLAND's losses are either permanent or continuing and he will suffer the losses in the future.

WHEREFORE, Plaintiff, BRIAN ROLAND, sues Defendant, SNAP-ON for compensatory damages, costs and interest and demands trial by jury of all issues so triable as a matter of right.

COUNT XI
SPOUSAL CONSTORIUM CLAIM AGAINST FERRARI

Plaintiff, NICOLE ROLAND, realleges and incorporates herein paragraphs 1-54.

119. At all materials times, Plaintiffs, BRIAN ROLAND and NICOLE ROLAND were married to each other and living together as husband and wife.

120. The bodily injuries suffered by BRIAN ROLAND on December 4, 2021, from his fall from the car lift and resulting pain and suffering are substantial and ongoing.

121. As a direct and proximate result of the aforementioned negligence of Defendant, FERARRI, Plaintiff, NICOLE ROLAND, has been in the past and will be in the future deprived of the service, comfort, society, companionship, affection, sexual relationship, and solace of her husband BRIAN ROLAND due to his injuries suffered in the incident of December 4, 2021.

WHEREFORE, Plaintiff, NICOLE ROLAND, demands judgment for damages against Defendant, FERARRI, for loss of spousal consortium and demands trial by jury of all issues so triable as a matter of right.

COUNT XII
SPOUSAL CONSTORIUM CLAIM AGAINST INTERLUXE

Plaintiff, NICOLE ROLAND, realleges and incorporates herein paragraphs 1-54.

122. At all materials times, Plaintiffs, BRIAN ROLAND and NICOLE ROLAND were married to each other and living together as husband and wife.

123. The bodily injuries suffered by BRIAN ROLAND on December 4, 2021, from his fall from the car lift and resulting pain and suffering are substantial and ongoing.

124. As a direct and proximate result of the aforementioned negligence of Defendant, INTERLUXE, Plaintiff, NICOLE ROLAND, has been in the past and will be in the future deprived of the service, comfort, society, companionship, affection, sexual relationship, and

solace of her husband BRIAN ROLAND due to his injuries suffered in the incident of December 4, 2021.

WHEREFORE, Plaintiff, NICOLE ROLAND, demands judgment for damages against Defendant, INTERLUXE, for loss of spousal consortium and demands trial by jury of all issues so triable as a matter of right.

COUNT XIII
SPOUSAL CONSTORIUM CLAIM AGAINST ENVIROSTRUCT

Plaintiff, NICOLE ROLAND, realleges and incorporates herein paragraphs 1-54.

125. At all materials times, Plaintiffs, BRIAN ROLAND and NICOLE ROLAND were married to each other and living together as husband and wife.

126. The bodily injuries suffered by BRIAN ROLAND on December 4, 2021, from his fall from the car lift and resulting pain and suffering are substantial and ongoing.

127. As a direct and proximate result of the aforementioned negligence of Defendant, ENVIROSTRUCT, Plaintiff, NICOLE ROLAND, has been in the past and will be in the future deprived of the service, comfort, society, companionship, affection, sexual relationship, and solace of her husband BRIAN ROLAND due to his injuries suffered in the incident of December 4, 2021.

WHEREFORE, Plaintiff, NICOLE ROLAND, demands judgment for damages against Defendant, ENVIROSTRUCT, for loss of spousal consortium and demands trial by jury of all issues so triable as a matter of right.

COUNT XIV
SPOUSAL CONSTORIUM CLAIM AGAINST ELITE

Plaintiff, NICOLE ROLAND, realleges and incorporates herein paragraphs 1-54.

128. At all materials times, Plaintiffs, BRIAN ROLAND and NICOLE ROLAND were married to each other and living together as husband and wife.

129. The bodily injuries suffered by BRIAN ROLAND on December 4, 2021, from his fall from the car lift and resulting pain and suffering are substantial and ongoing.

130. As a direct and proximate result of the aforementioned negligence of Defendant, ELITE Plaintiff, NICOLE ROLAND, has been in the past and will be in the future deprived of the service, comfort, society, companionship, affection, sexual relationship, and solace of her husband BRIAN ROLAND due to his injuries suffered in the incident of December 4, 2021.

WHEREFORE, Plaintiff, NICOLE ROLAND, demands judgment for damages against Defendant, ELITE, for loss of spousal consortium and demands trial by jury of all issues so triable as a matter of right.

COUNT XV
SPOUSAL CONSTORIUM CLAIM AGAINST COLLIER COUNTY

Plaintiff, NICOLE ROLAND, realleges and incorporates herein paragraphs 1-54.

131. At all materials times, Plaintiffs, BRIAN ROLAND and NICOLE ROLAND were married to each other and living together as husband and wife.

132. The bodily injuries suffered by BRIAN ROLAND on December 4, 2021, from his fall from the car lift and resulting pain and suffering are substantial and ongoing.

133. As a direct and proximate result of the aforementioned negligence of Defendant, COUNTY, Plaintiff, NICOLE ROLAND, has been in the past and will be in the future deprived of the service, comfort, society, companionship, affection, sexual relationship, and solace of her husband BRIAN ROLAND due to his injuries suffered in the incident of December 4, 2021.

WHEREFORE, Plaintiff, NICOLE ROLAND, demands judgment for damages against Defendant, COUNTY, for loss of spousal consortium and demands trial by jury of all issues so triable as a matter of right.

COUNT XVI
SPOUSAL CONSTORIUM CLAIM AGAINST AUTOQUIP

Plaintiff, NICOLE ROLAND, realleges and incorporates herein paragraphs 1-54.

134. At all materials times, Plaintiffs, BRIAN ROLAND and NICOLE ROLAND were married to each other and living together as husband and wife.

135. The bodily injuries suffered by BRIAN ROLAND on December 4, 2021, from his fall from the car lift and resulting pain and suffering are substantial and ongoing.

136. As a direct and proximate result of the aforementioned negligence of Defendant, AUTOQUIP, Plaintiff, NICOLE ROLAND, has been in the past and will be in the future deprived of the service, comfort, society, companionship, affection, sexual relationship, and solace of her husband BRIAN ROLAND due to his injuries suffered in the incident of December 4, 2021.

WHEREFORE, Plaintiff, NICOLE ROLAND, demands judgment for damages against Defendant, AUTOQUIP, for loss of spousal consortium and demands trial by jury of all issues so triable as a matter of right.

COUNT XVII
SPOUSAL CONSTORIUM CLAIM AGAINST SNAP-ON

Plaintiff, NICOLE ROLAND, realleges and incorporates herein paragraphs 1-54.

137. At all materials times, Plaintiffs, BRIAN ROLAND and NICOLE ROLAND were married to each other and living together as husband and wife.

138. The bodily injuries suffered by BRIAN ROLAND on December 4, 2021, from his fall from the car lift and resulting pain and suffering are substantial and ongoing.

139. As a direct and proximate result of the aforementioned negligence of Defendant, SNAP-ON, Plaintiff, NICOLE ROLAND, has been in the past and will be in the future deprived of the service, comfort, society, companionship, affection, sexual relationship, and solace of her husband BRIAN ROLAND due to his injuries suffered in the incident of December 4, 2021.

WHEREFORE, Plaintiff, NICOLE ROLAND, demands judgment for damages against Defendant, SNAP-ON, for loss of spousal consortium and demands trial by jury of all issues so triable as a matter of right.

COUNT XVIII
FILIAL CONSTORIUM CLAIM AGAINST FERRARI

Plaintiff, REMINGTON ROLAND, by and through her natural parents and guardians BRIAN ROLAND and NICOLE ROLAND, incorporates and realleges herein paragraphs 1-54.

140. At all materials times, Plaintiffs, BRIAN ROLAND and NICOLE ROLAND were the parents and natural guardian of their daughter REMINGTON ROLAND.

141. The bodily injuries suffered by BRIAN ROLAND on December 4, 2021, from his fall from the car lift, resulted in pain and suffering and a significant permanent total disability which is ongoing.

142. As a direct and proximate result of the aforementioned negligence of Defendant, FERRARI, Plaintiff, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND has been in the past and will be in the future deprived of the services comfort, companionship, and society of her father BRIAN ROLAND due to his injuries suffered in the incident of December 4, 2021.

WHEREFORE, Plaintiff, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND, demands judgment for damages against Defendant, FERRARI, for loss of filial consortium, and demands trial by jury of all issues so triable as a matter of right.

COUNT XIX
FILIAL CONSTORIUM CLAIM AGAINST INTERLUXE

Plaintiff, REMINGTON ROLAND, by and through her natural parents and guardians BRIAN ROLAND and NICOLE ROLAND, realleges and incorporates herein paragraphs 1-54.

143. At all materials times, Plaintiffs, BRIAN ROLAND and NICOLE ROLAND were the parents and natural guardian of their daughter REMINGTON ROLAND.

144. The bodily injuries suffered by BRIAN ROLAND on December 4, 2021, from his fall from the car lift, resulted in pain and suffering and a significant permanent total disability which is ongoing.

145. As a direct and proximate result of the aforementioned negligence of Defendant, INTERLUXE, Plaintiff, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND has been in the past and will be in the future deprived of the services comfort, companionship, and society of her father BRIAN ROLAND due to his injuries suffered in the incident of December 4, 2021.

WHEREFORE, Plaintiff, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND, demands judgment for damages against Defendant, INTERLUXE, for loss of filial consortium, and demands trial by jury of all issues so triable as a matter of right.

COUNT XX
FILIAL CONSTORIUM CLAIM AGAINST ENVIROSTRUCT

Plaintiff, REMINGTON ROLAND, by and through her natural parents and guardians BRIAN ROLAND and NICOLE ROLAND, realleges and incorporates herein paragraphs 1-54.

146. At all materials times, Plaintiffs, BRIAN ROLAND and NICOLE ROLAND were the parents and natural guardian of their daughter REMINGTON ROLAND.

147. The bodily injuries suffered by BRIAN ROLAND on December 4, 2021, from his fall from the car lift, resulted in pain and suffering and a significant permanent total disability which is ongoing.

148. As a direct and proximate result of the aforementioned negligence of Defendant, ENVIROSTRUCT, Plaintiff, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND has been in the past and will be in the future deprived of the services comfort, companionship, and society of her father BRIAN ROLAND due to his injuries suffered in the incident of December 4, 2021.

WHEREFORE, Plaintiff, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND, demands judgment for damages against Defendant, ENVIROSTRUCT, for loss of filial consortium, and demands trial by jury of all issues so triable as a matter of right.

COUNT XXI
FILIAL CONSTORIUM CLAIM AGAINST ELITE

Plaintiff, REMINGTON ROLAND, by and through her natural parents and guardians BRIAN ROLAND and NICOLE ROLAND, realleges and incorporates herein paragraphs 1-54.

149. At all materials times, Plaintiffs, BRIAN ROLAND and NICOLE ROLAND were the parents and natural guardian of their daughter REMINGTON ROLAND.

150. The bodily injuries suffered by BRIAN ROLAND on December 4, 2021, from his fall from the car lift, resulted in pain and suffering and a significant permanent total disability which is ongoing.

151. As a direct and proximate result of the aforementioned negligence of Defendant, ELITE, Plaintiff, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND has been in the past and will be in the future deprived of the

services comfort, companionship, and society of her father BRIAN ROLAND due to his injuries suffered in the incident of December 4, 2021.

WHEREFORE, Plaintiff, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND, demands judgment for damages against Defendant, ELITE, for loss of filial consortium, and demands trial by jury of all issues so triable as a matter of right.

COUNT XXII
FILIAL SPOUSAL CONSTORIUM CLAIM AGAINST COUNTY

Plaintiff, REMINGTON ROLAND, by and through her natural parents and guardians BRIAN ROLAND and NICOLE ROLAND, realleges and incorporates herein paragraphs 1-54.

152. At all materials times, Plaintiffs, BRIAN ROLAND and NICOLE ROLAND were the parents and natural guardian of their daughter REMINGTON ROLAND.

153. The bodily injuries suffered by BRIAN ROLAND on December 4, 2021, from his fall from the car lift, resulted in pain and suffering and a significant permanent total disability which is ongoing.

154. As a direct and proximate result of the aforementioned negligence of Defendant, COUNTY, Plaintiff, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND has been in the past and will be in the future deprived of the services comfort, companionship, and society of her father BRIAN ROLAND due to his injuries suffered in the incident of December 4, 2021.

WHEREFORE, Plaintiff, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND, demands judgment for damages against Defendant, COUNTY, for loss of filial consortium, and demands trial by jury of all issues so triable as a matter of right.

COUNT XXIII

FILIAL CONSTORIUM CLAIM AGAINST AUTOQUIP

Plaintiff, REMINGTON ROLAND, by and through her natural parents and guardians BRIAN ROLAND and NICOLE ROLAND, realleges and incorporates herein paragraphs 1-54.

155. At all materials times, Plaintiffs, BRIAN ROLAND and NICOLE ROLAND were the parents and natural guardian of their daughter REMINGTON ROLAND.

156. The bodily injuries suffered by BRIAN ROLAND on December 4, 2021, from his fall from the car lift, resulted in pain and suffering and a significant permanent total disability which is ongoing.

157. As a direct and proximate result of the aforementioned negligence of Defendant, AUTOQUIP, Plaintiff, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND has been in the past and will be in the future deprived of the services comfort, companionship, and society of her father BRIAN ROLAND due to his injuries suffered in the incident of December 4, 2021.

WHEREFORE, Plaintiff, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND, demands judgment for damages against Defendant, AUTOQUIP, for loss of filial consortium, and demands trial by jury of all issues so triable as a matter of right.

COUNT XXIV
FILIAL CONSTORIUM CLAIM AGAINST SNAP-ON

Plaintiff, REMINGTON ROLAND, by and through her natural parents and guardians BRIAN ROLAND and NICOLE ROLAND, realleges and incorporates herein paragraphs 1-54.

158. At all materials times, Plaintiffs, BRIAN ROLAND and NICOLE ROLAND were the parents and natural guardian of their daughter REMINGTON ROLAND.

159. The bodily injuries suffered by BRIAN ROLAND on December 4, 2021, from his fall from the car lift, resulted in pain and suffering and a significant permanent total disability which is ongoing.

160. As a direct and proximate result of the aforementioned negligence of Defendant, SNAP-ON, Plaintiff, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND has been in the past and will be in the future deprived of the services comfort, companionship, and society of her father BRIAN ROLAND due to his injuries suffered in the incident of December 4, 2021.

WHEREFORE, Plaintiff, BRIAN ROLAND and NICOLE ROLAND, as parents and natural guardians of REMINGTON ROLAND, demands judgment for damages against Defendant, SNAP-ON, for loss of filial consortium, and demands trial by jury of all issues so triable as a matter of right.

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