

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIVIL ACTION

JOSE SMITH

Plaintiff,

vs.

CASE NO.:

DIVISION:

XYZ CORP.

Defendants.

**PLAINTIFF'S MEMORANDUM OF LAW REGARDING
PREMISES LIABILITY**

I. DUTIES

Under premises liability law, a landowner owes two duties to an invitee:

(1) to use reasonable care in maintaining the premises in a reasonably safe condition; and (2) to give the invitee warning of concealed perils which are or should be known to the landowner, and which are unknown to the invitee and cannot be discovered by him through the exercise of due care. ~~See Knight v. Waltman, 774 So. 2d 731 (Fla. 2nd DCA 2006).~~

One in possession of property "... must keep his property reasonably safe and protect the visitor from dangers of which he is or should be aware." See ~~Pittman v. Volusia County, 380 S. 2d 1192 (Fla. 5th DCA 1980).~~

II. INVITEES AND LICENSEES

An invitee is normally considered to be one who enters upon the premises of another for the purposes connected with the owner or occupant of the premises.

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