

**COMMONWEALTH OF MASSACHUSETTS**

**SUFFOLK, ss.**

**SUFFOLK SUPERIOR COURT  
Docket No.:**

\_\_\_\_\_  
MICKEY S. WILLIAMS )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
MEMBERS PLUS CREDIT UNION )  
 )  
Defendant. )  
\_\_\_\_\_

**COMPLAINT AND  
DEMAND FOR JURY TRIAL**

**PARTIES**

1. The Plaintiff, Mickey Williams, is an individual with a place of residence located at 40 Frazer Street, Hyde Park, MA.
2. The Defendant, Members Plus Credit Union is a corporation with a principal place of business located at 29 High Street, Medford, Massachusetts and a bank branch located at 494 Gallivan Boulevard, Dorchester Massachusetts.

**FACTS**

3. Plaintiff, Mickey Williams, repeats, reavers, and realleges paragraphs 1 through 2 and incorporates them by reference as though fully set forth here.
4. On December 21, 2020 Plaintiff was lawfully on the Defendant's premises of 494 Gallivan Boulevard, Dorchester, Massachusetts (hereinafter "the bank"), a property owned and controlled by the Defendant.
5. On that date, Defendant was a Credit Union or Bank and Plaintiff was its customer.
6. Prior to Plaintiff's arrival on December 21, 2020, Defendant had established COVID-19 protocols in response to governor Charlie Baker's executive order no. 58. Part of those protocols required a one-directional flow of pedestrian traffic and a limit to the number of customers in the bank.
7. Defendant's bank has two means of entrance/exit, one leading to the rear parking lot and another leading to Gallivan Boulevard sidewalk.
8. To comply with COVID regulations, Defendant required customers to enter through the rear parking lot entrance and exit through the Gallivan Boulevard sidewalk exit. Once outside, customers were directed to walk back to their vehicles through the parking lot driveway (hereinafter "the walkway").

9. On December 21, 2020, Plaintiff arrived at the bank just after it opened at 9:00AM.
10. Upon arrival, Plaintiff entered the bank through the parking lot entrance as directed. After conducting business within the bank, he exited through the Gallivan Boulevard sidewalk exit as directed. Once outside, he walked back towards his vehicle through the walkway as directed.
11. Prior to opening the bank, Defendant did not ensure that the walkway through which it was sending its customers was clear of ice.
12. As Plaintiff was walking back to his car, he encountered black ice which caused his foot to slip out from under him. Plaintiff fell and broke his ankle suffering permanent, lifelong impairments as a result.

### **COUNT I – NEGLIGENCE**

#### **Mickey Williams v. Members Plus Credit Union**

13. Plaintiff, Mickey Williams, repeats, reavers, and realleges paragraphs 1 through 12 and incorporates them by reference as though fully set forth herein.
14. The Defendant, Members Plus Credit Union owed a duty to the Plaintiff, Mickey Williams, to ensure that its premises were safe and free of hazards and/or dangerous conditions and to maintain that property in a safe manner.
15. The Defendant, Members Plus Credit Union, its agents, and/or employees, breached this duty of care in that it:
  - a. Failed to keep the premise free of defects such as black ice of which it knew or reasonably should have known;
  - b. Failed to draft and/or implement proper policies and procedures to ensure that the walkway through which it was directing customers was in a reasonably safe condition free of snow and ice;
  - c. Failed to draft and/or implement proper safety procedures to reduce the risk of customers slipping on snow and ice;
  - d. Failed to inspect the walkway through which it intended to direct customers for black ice or other hazardous conditions prior to opening for business;
  - e. Failed to salt or sand the walkway through which it intended to direct customers even though it was aware, or should have been aware, of icy conditions;
  - f. Failed to keep proper watch to ensure that the walkway remained in a reasonably safe condition free from ice throughout the day;
  - g. Directed customers to walk through an area it knew or reasonably should have known contained black ice;
  - h. Failed to warn Plaintiff of the black ice on the walkway through which it directed him to walk;
  - i. Negligently and carelessly left black ice directly in the path of customer foot traffic; and
  - j. Failed to use due care as a reasonably prudent person would under the same or similar circumstances.

16. As a direct and proximate result of the negligence of the Defendant, Members Plus Credit Union, its agents and/or employees, the Plaintiff, Mickey Williams was seriously injured. The effects of the Plaintiff's injuries are permanent in nature; additionally, he has suffered great pain and mental anguish, and will continue to suffer great pain and mental anguish in the future.
17. As a direct and proximate result of the negligence of the Defendant, Members Plus Credit Union, its agents and/or employees, and the Plaintiff's resulting injuries, the Plaintiff has incurred substantial medical expenses. In addition, he will be forced to incur further medical expenses in the future.
18. As a direct and proximate result of the negligence of the Defendant, Members Plus Credit Union, its agents and/or employees, and Plaintiff's resulting injuries, the Plaintiff, lost substantial earnings and earning capacity.
19. As a direct and proximate result of the negligence of the Defendant, Members Plus Credit Union, its agents and/or employees, and Plaintiff's resulting injuries, the Plaintiff's participation in many activities has been significantly restricted and or curtailed, and he has been restricted from his other social, recreational and everyday activities, which has caused him to suffer a loss of the enjoyment of the many usual pleasures of life.

WHEREFORE, the Plaintiff, Mickey Williams, demands judgment under Count I against the Defendant, Members Plus Credit Union, for the full amount of his damages, plus interest, costs, expenses and attorney's fees.

**PLAINTIFF, MICKEY S. WILLIAMS DEMANDS A JURY TRIAL ON ALL ISSUES SO TRIABLE.**

Respectfully submitted,  
The Plaintiff,  
By His Attorney,



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