

IN THE CIRCUIT COURT OF THE 17TH
JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

LAURA HALPERN, an individual,

Plaintiff,

Case No.: CACE-17-009954

v.

NOVA SOUTHEASTERN UNIVERSITY,
INC., a Florida Not For Profit Corporation,

Defendant.

**PLAINTIFF'S RESPONSE IN OPPOSITION TO DEFENDANT'S MOTION TO
DISMISS PLAINTIFF'S AMENDED COMPLAINT**

Plaintiff, LAURA HALPERN, an individual, by and through undersigned counsel, hereby files this Response in Opposition to Defendant, NOVA SOUTHEASTERN UNIVERSITY's, Motion to Dismiss Plaintiff's Amended Complaint, and would state as follows:

1. On or about October 18, 2017, Plaintiff filed her Amended Complaint against Defendant arising out of Plaintiff's harmful exposure to formaldehyde while on lawfully on Defendant's premises as a student.
2. On or about October 30, 2017, Defendant filed a Motion to Dismiss Plaintiff's Amended Complaint. In its Motion, Defendant moves to dismiss the following counts from Plaintiff's Amended Complaint:
 - a. Count III – Breach of Oral Contract.
 - b. Count IV – Breach of Implied in Fact Contract.
 - c. Count IV [sic V] – Breach of Fiduciary Duty.
 - d. Count VI [sic V] – Strict Liability.
3. Pursuant to the arguments and authority below, this Court should deny Defendant's Motion to Dismiss Plaintiff's Amended Complaint.