

11. At all times material hereto, the Defendant, SIMON, knew or should have known of the inadequate security because of previous similar incidents on Defendant's property.

12. At all times material hereto, the Defendant; SIMON, by and through its agents, apparent agents, and employees, was negligent in it's duty to maintain, operate, control, and/or provide adequate security for the aforesaid premises and breached its duty of care to the Plaintiff, JANE DOE, as a known and foreseeable occupant of the premises, in the following regards:

- (a) the defendant negligently failed to provide reasonably safe premises for persons who were lawfully present there, including the Plaintiff, JANE DOE;
- (b) the defendant negligently failed to warn the Plaintiff, JANE DOE, and other occupants of the premises as to the risks existing on the premises;
- (c) the defendant negligently failed to maintain and control the premises in a safe and prudent manner;
- (d) the defendant negligently failed to provide reasonable security concerning the safe maintenance and control of the premises; and
- (e) the defendant negligently failed to retain, consult and hire competent employees, agents, and/or security personnel when it controlled and maintained the premises.

13. A dangerous condition was created and/or allowed to exist within the premises by the Defendant, SIMON. This condition existed for a sufficient amount of time and under sufficient conditions that the Defendant, SIMON, by and through its agents, apparent agents, and/or employees, knew or should have known that it created an unreasonable danger to the Plaintiff, JANE DOE.