

**IN THE CIRCUIT COURT OF THE NINTH
JUDICIAL CIRCUIT IN AND FOR ORANGE
COUNTY, FLORIDA**

CASE NO:

CHERYL BONHAM,

Plaintiff,

vs.

**WALT DISNEY PARKS AND
RESORTS U.S., INC.,**

Defendant. _____ /

COMPLAINT AND DEMAND FOR JURY TRIAL

COMES NOW Plaintiff, CHERYL BONHAM, and sues Defendant, WALT DISNEY PARKS AND RESORTS, U.S., INC., and alleges:

1. This is an action for damages that exceeds Fifteen Thousand Dollars (\$15,000.00), exclusive of interest, costs and attorneys' fees.
2. Plaintiff is a natural person residing in Seminole County, Florida.
3. At all times material to this action, WALT DISNEY PARKS AND RESORTS, U.S., INC. is a Florida corporation licensed to do business in the State of Florida.
4. At all times material hereto, Defendant was the owner and in possession of that certain business located at Center Drive, Orlando, Florida 32836, said business being that of an amusement park, open to the general public, including the Plaintiff herein.
5. On or about May 4, 2013, Plaintiff visited Defendant's premises located at the above address as a guest.

6. At said time and place, Plaintiff was a guest at the amusement park lawfully upon the premises of the Defendant, who owed Plaintiff a duty to exercise reasonable care for her safety.

7. At said time and place, Defendant breached its duty owed to Plaintiff by committing one or more of the following omissions or commissions:

a) Negligently failing to maintain or adequately maintain the area, thus creating a slip or trip hazard to members of the public utilizing said premises, including the Plaintiff herein, thus creating an unreasonably dangerous condition for Plaintiff;

b) Negligently failing to inspect or adequately inspect the walkway, as specified above, to ascertain whether the gap on the liquid on the walkway constituted a slip or trip hazard to guests utilizing said premises, including the Plaintiff herein, thus creating an unreasonably dangerous condition to the Plaintiff;

c) Negligently failing to inspect or adequately warn the Plaintiff of the danger of the gap on the walkway, when Defendant knew or through the exercise of reasonable care should have known that said gap on the walkway was unreasonably dangerous and that Plaintiff was unaware of same; and

d) Negligently failing to correct or adequately correct the unreasonably dangerous condition of the gap on the walkway on Defendant's premises, when said condition was either known to Defendant or had existed for a sufficient length of time such that Defendant should have known of same had Defendant exercised reasonable care.

e) Negligently failing to have adequate staff on duty and/or assigned to the task of inspecting the premises for dangerous conditions;

f) Negligently failing to train and/or inadequately training its employees to inspect the premises for dangerous conditions;

g) Negligently failing to follow its own corporate policy(ies) regarding the dangerous condition;

h) Negligently failing to act reasonably under the circumstances;

i) Negligently failing to render aid to the Plaintiff after her fall and/or negligently rendering aid to the Plaintiff after her fall.

j) Defendants engaged in a negligent mode of operation by allowing invitees/guests to travel in an area without warning signs of slippery conditions present. Further, Defendants engaged in a negligent mode of operation by allowing a clear liquid to remain on the walkway creating a hazardous and dangerous condition.

8. As a result, while Plaintiff was visiting Defendant's business, she slipped and fell on a gap in the walkway, sustaining injuries as set forth.

9. As a result, while Plaintiff was visiting Defendant's business, she slipped and fell on gap in the walkway, sustaining injuries as set forth.

7. As a direct and proximate result of the negligence of Defendant, Plaintiff suffered bodily injury in and about her body and extremities, resulting in pain and suffering, disability, disfigurement, permanent and significant scarring, mental anguish, loss of the capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earning, loss of the ability to earn money, and aggravation of previously existing condition. The losses are either permanent or continuing and Plaintiff will suffer the losses in the future.

WHEREFORE, the Plaintiff, CHERYL BONHAM, sues the Defendant, WALT DISNEY PARKS AND RESORTS, U.S., INC., for damages and demands judgment in excess of Fifteen Thousand Dollars (\$15,000.00), plus interest and costs, and demands trial by jury of all issues so triable.

RESPECTFULLY submitted this 17th day of January, 2015.

*/s/ **Louis A. DeFreitas Esquire***

Louis A. DeFreitas, Jr., Esquire

FBN 0080292

Morgan & Morgan, P.A.

198 Broadway Avenue

Kissimmee, Florida 34741

Telephone: (407) 452-6990

Facsimile: (407) 452-6989

Primary email: LDeFreitas@forthepeople.com

Attorneys for Plaintiff