

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. \_\_\_\_\_

EDWARD ALLEN BELL,

Plaintiff,

vs.

CARNIVAL CORPORATION  
d/b/a Carnival Cruise Lines,  
a foreign corporation,Defendant.  
\_\_\_\_\_ /**COMPLAINT**  
**(Negligence)**

Plaintiff, Edward Allen Bell, sues defendant, Carnival Corporation d/b/a Carnival Cruise Lines, a foreign corporation, and states:

1. This is a diversity cause of action for damages exceeding seventy five thousand dollars (\$75,000.00), and for the purposes of 42 USC §1332(b), is only filed in federal court because of defendant's insistence and requirements in its ticket of passage, a copy of which is not in plaintiff's possession at this time.

2. Plaintiff, Edward Allen Bell, is a citizen of Texas, and at all times mentioned herein was and is sui juris.

3. On information and belief, plaintiff alleges that defendant, Carnival Corporation d/b/a Carnival Cruise Lines, at all times mentioned herein, was and is a foreign corporation (not of Texas), registered to do business in Florida and having the primary place of its business in the State of Florida in, among other areas, Dade County, Florida, at 3655 N.W. 87<sup>th</sup> Avenue, Miami, Florida.

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4. On information and belief, at all times mentioned herein, the defendant owned, managed, chartered, maintained and/or operated the Ecstasy, a cruise ship which is a common carrier of passengers.

5. Prior to April 21, 2010, plaintiff purchased tickets for the Ecstasy on a cruise beginning April 17, 2010.

6. Defendant had the duty to provide the plaintiff with premises and a deck reasonably safe on which to walk while aboard the vessel.

7. On April 21, 2010, while the Ecstasy was in navigable waters, defendant negligently operated, maintained, supervised, controlled, equipped, designed, manufactured and inspected said vessel, its equipment, the selection and training of its crew members, and the care supervision of its walking surfaces, including the ship's deck, so as to cause plaintiff, Edward Allen Bell, to slip and fall on the deck, when the Ecstasy performed a sudden maneuver to avoid a buoy it had failed to detect.

8. As a proximate result of the negligence of defendant, plaintiff was thrown to the deck of the ship landing on both elbows on the hard, steel deck surface, injuring both elbows, his left hip and right knee, which have caused and will continue to cause him great mental and physical pain and suffering and loss of enjoyment of life. As a result of such injuries, plaintiff has suffered general damages.

9. As a further proximate result of the negligence of defendant, plaintiff has incurred, and will continue to incur, medical and related expenses.

10. Plaintiff has performed all conditions precedent to bringing this action.

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WHEREFORE, plaintiff prays judgment against defendant, as follows:

- a. For general damages;
- b. For medical and special damages;
- c. For interest as provided by law;
- d. For costs of suit herein incurred; and
- e. For such other and further relief as the court may deem proper.

PLAINTIFF DEMANDS JURY TRIAL.

Dated: June 7, 2011

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