

THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
BROWARD DIVISION

KAREN KOLLINGER,

CASE NO.:

Plaintiff,

v.

CELEBRATION CRUISE LINE, LLC,

Defendant.

COMPLAINT

COMES NOW, Plaintiff, KAREN KOLLINGER, (hereinafter "KOLLINGER") by and through her undersigned counsel, and sues the Defendant, CELEBRATION CRUISE LINE, LLC. (hereinafter "CELEBRATION"), and says:

1. This is a maritime action for personal injury damages.
2. That Defendant, "CELEBRATION", is a Florida corporation, authorized to do, and doing business, in the State of Florida, and did business in Florida as "CELEBRATION", providing cruising voyages to paying passengers, and owned and/or operated a cruising vessel known as the "BAHAMAS CELEBRATION".
3. That jurisdiction is proper in this Court pursuant to 28 U.S.C. §1333, which provides original jurisdiction to the United States District Court, exclusive of state courts, of "any civil case of admiralty or maritime jurisdiction, saving to suitors in all cases all other remedies to which they are otherwise entitled."
4. That venue is proper in the Southern District of Florida, Broward Division in that Defendant "CELEBRATION's" principal place of business is in Fort Lauderdale, Broward County, Florida.

5. Jurisdiction and venue are proper in the U.S. District Court for the Southern District of Florida, Broward County, under the terms of the cruise ticket tendered by Defendant, "CELEBRATION" to Plaintiff, "KOLLINGER". The Defendant has a copy of the contract for passage.

6. That on July 30, 2011, Plaintiff, "KOLLINGER", was a fare-paying passenger on the "CELEBRATION" vessel "BAHAMAS CELEBRATION, that was at all times material hereto, a vessel owned and operated by Defendant, "CELEBRATION".

7. That on July 30, 2011, Plaintiff, "KOLLINGER", was an invitee upon the vessel owned and operated by Defendant, "CELEBRATION", having come onto the vessel to make use of the facilities as a fare-paying passenger.

8. That on July 30, 2011, Plaintiff, "KOLLINGER", was injured while attempting to go down the stairs on said vessel, when the heel of her shoe caught under a metal strip which held the carpet down on the stairs, causing her to fall down the stairs.

9. The "stairs" were not properly maintained.

10. That the "stairs" and surrounding area of the vessel and all of its attendant attractions, is owned and operated by Defendant "CELEBRATION", and it is also within the exclusive control of "CELEBRATION".

11. That at the aforementioned time and place, the Defendant, through its agents and/or employees, was negligent in the following acts of commission and/or omission:

a. Failure to properly maintain the cruising vessel BAHAMAS CELEBRATION in a reasonably safe condition for use by Plaintiff and others similarly situated.

b. Failure to correct a dangerous condition of which it either knew or should have known through the use of reasonable care.

c. Failure to warn the Plaintiff of the existence of a dangerous condition on Defendant's cruising vessel, of which the Defendant either knew or should have known through the use of reasonable care.

d. Failure to correct the dangerous condition, which was neither open or obvious.

e. Failure to exercise reasonable care under the circumstances.

12. That as a direct and proximate result of the aforementioned negligence on the part of Defendant "CELEBRATION" Plaintiff, "KOLLINGER", was injured in and about her body and extremities; was caused great physical pain and mental suffering; and will within reasonable medical probability; has suffered physical and mental losses and impairments which are, within a reasonable degree of medical probability, permanent and/or continuing in nature, and will suffer said losses and impairments in the future; has been caused to expend money for the treatment of her injuries and will, in the future, be caused to expend further monies for treatment of her injuries.

WHEREFORE Plaintiff, KAREN KOLLINGER demands judgment for damages against Defendant, CELEBRATION CRUISE LINE, LLC.

DEMAND FOR JURY TRIAL

Plaintiff, KAREN KOLLINGER, hereby demands trial by jury of all issues triable as of right by a jury.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on May 7th, 2012, I electronically filed the foregoing document with the Clerk of the court using CM/ECF and a true and correct copy of the foregoing document will be served on the Defendant via service of process in due course.

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