

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO.:

FAYE J. LASKY, as Personal Representative  
of the Estate of Sholem David Lasky, deceased,

Plaintiff,

v.

ROYAL CARIBBEAN CRUISES LTD.,  
a Liberian Corporation d/b/a ROYAL  
CARIBBEAN INTERNATIONAL,

Defendant.

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**COMPLAINT FOR DAMAGES**

Plaintiff, FAYE J. LASKY, as Personal Representative of the Estate of Sholem David Lasky, deceased, sues the Defendant, ROYAL CARIBBEAN CRUISES LTD., a Liberian Corporation d/b/a ROYAL CARIBBEAN INTERNATIONAL for damages and alleges as follows:

1. This is an action for damages in excess of Seventy Five Thousand Dollars (\$75,000.00), exclusive of interest, costs and attorneys' fees.
2. At all times material hereto, Plaintiff, FAYE J. LASKY, and the decedent, Sholem David Lasky, were husband and wife, and residents of Florida. The Plaintiff, FAYE J. LASKY, is or shall be appointed as the Personal Representative of the Estate of Sholem David Lasky.
3. At all times material hereto, Defendant, ROYAL CARIBBEAN CRUISES LTD. d/b/a ROYAL CARIBBEAN INTERNATIONAL (hereinafter RCCL), is and was a foreign corporation registered to do business in the State of Florida with a principal place of business

address of 1050 Caribbean Way, Miami, Florida 33132.

4. Pursuant to the passenger tickets issued by Defendants, Plaintiff must bring her claim in the United States District Court for the Southern District of Florida. Therefore, venue is proper in United States District Court for Southern District of Florida.
5. Plaintiff has satisfied all conditions precedent to filing her claim. See Notice Letter dated April 29, 2011, herein attached as Exhibit "A."

#### **GENERAL ALLEGATIONS**

6. On February 15, 2011, Sholem David Lasky (hereinafter Mr. Lasky) and his wife, FAYE J. LASKY (hereinafter Mrs. Lasky) were guests on board the RCCL cruise ship "Navigator of the Seas" in Suite 1620.
7. While walking in his suite, Sholem David Lasky fell striking his head. While Mr. Lasky was conscious, he was unable to stand on his own and Mrs. Lasky promptly called for assistance.
8. Thereafter, cruise ship personnel arrived and attempted to lift Mr. Lasky onto a wheelchair. Cruise ship personnel did not take notice of the type, extent and nature of injury Mr. Lasky sustained.
9. Mr. Lasky was lifted from the floor to the wheelchair and taken to the onboard medical facilities of the "Navigator of the Seas" where he was seen by a physician.
10. Mr. Lasky was fitted with a neck brace and sent back to his suite and told to return the following morning for a follow up.
11. For the remainder of the trip, Mr. Lasky was confined to his suite and experienced pain.
12. Soon after disembarking, Mr. Lasky experienced intensifying pain and went to the hospital and was admitted through the Aventura Hospital Emergency Room.

13. While in the hospital Mr. Lasky underwent x-rays and a CT scan that revealed a fractured neck.
14. He was admitted to the hospital the early morning of February 18, 2011.
15. Despite being given pain medication and being fitted with a neck brace that immobilized his head, Mr. Lasky was in constant pain.
16. Mr. Lasky's condition began to deteriorate and after being in the ICU, Mr. Lasky died on March 13, 2011.

**NEGLIGENCE AS TO ROYAL CARIBBEAN CRUISES LTD**

17. RCCL owed a duty to exercise reasonable care for health and safety of its passengers when undertaking to assist them after a fall onboard one of their cruise ships.
18. RCCL owed that same duty to Mr. Lasky when they undertook to lift and transport him to the medical facilities onboard the "Navigator of the Seas."
19. RCCL breached that duty in one or more of the following ways:
  - a. Failing to adequately train RCCL employees on how to assist a passenger who has fallen;
  - b. Failing to adequately train RCCL employees to recognize certain types of injuries and how best to move, carry and transport a passenger who has fallen;
  - c. Failing to implement the proper protocol for the identification and proper procedures concerning the various head and neck injuries that arise from the improper lifting and moving of victims of common falls.
20. RCCL's servants, employees and agents all acted within the course and scope of their employment.

21. As a result of RCCL's failure to properly train its servants, employees and agents, Plaintiff, Sholem David Lasky, suffered a broken neck when RCCL employees mishandled him after his fall in his suite.
22. As a direct result of the aforementioned injuries sustained; RCCL's negligence caused the wrongful death of Sholem David Lasky.

WHEREFORE, Plaintiff, FAYE J. LASKY, demands judgment against Defendant, ROYAL CARIBBEAN CRUISES LTD., for compensatory damages, interest, attorneys' fees and costs associated with this action.

### **DAMAGES**

As a direct and proximate result of the above described acts and omissions of ROYAL CARIBBEAN CRUISES LTD, Sholem David Lasky died as a result of his injuries and Defendant, ROYAL CARIBBEAN CRUISES LTD, is liable to Plaintiff for all damages to which the Estate and survivors and beneficiaries are entitled, including, but not limited to, the following:

- a. Pain and suffering of Sholem David Lasky prior to his death;
- b. Pain and suffering of the survivors, beneficiaries and heirs of Sholem David Lasky;
- c. Lost society, companionship, guidance, solace and services of Sholem David Lasky to the survivors, beneficiaries and heirs;
- d. Loss of support in money or in kind;
- e. Loss of Sholem David Lasky's net accumulation;
- f. Funeral and related expenses; and/or
- g. Any and all other damages to which Plaintiff, the survivors and/or beneficiaries may be entitled which this Court may find applicable.

WHEREFORE, Plaintiff, FAYE J. LASKY, demands judgment against Defendant, ROYAL CARIBBEAN CRUISES LTD., a Liberian Corporation d/b/a ROYAL CARIBBEAN INTERNATIONAL, for compensatory damages, interest, attorneys' fees and costs associated with this action.

**DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury.

Dated this 26<sup>th</sup> day of September, 2011

LAW OFFICES OF ROBERT L. PARKS, P. L.  
2121 Ponce De Leon Boulevard, Suite 505  
Coral Gables, FL 33134  
Phone: 305-445-4430  
Fax: 305-445-4431  
Email: [bob@rlplegal.com](mailto:bob@rlplegal.com)

By:   
Robert L. Parks, Florida Bar Number: 061436

*Attorney for Plaintiff*