

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.:

MARILYN OLSON

Plaintiff

vs.

CELEBRITY CRUISES, INC.

Defendant.

COMPLAINT

COMES NOW, the Plaintiff, **MARILYN OLSON**, by and through his undersigned counsel, and sues the Defendant, **CELEBRITY CRUISES, INC.**, and further states as follows:

GENERAL ALLEGATIONS

1. This is a cause of action which is brought in the District Court for the Southern District, Florida pursuant to 28 U.S.C. 1333 and the forum selection clause of Plaintiff's passenger cruise ticket with Defendant, Section 22. The cause of action is in excess of the jurisdictional limits of the court and in excess of \$75,000.00. There is diversity of citizenship. Plaintiff is a citizen and resident of the state of Oregon. This is a maritime cause of action.
2. Plaintiff has complied with all conditions precedent.
3. Defendant, **CELEBRITY CRUISES, INC.** (hereinafter "CELEBRITY"), is a foreign corporation, which is licensed to do business in Florida as a cruise line. Defendant's base of operations is in Miami, Dade County, Florida.

COUNT ONE-NEGLIGENCE

4. Plaintiff reavers and realleges paragraphs one through three as if set forth herein.
5. At all times material hereto, Defendant owned, operated, managed, maintained and/or controlled the vessel CELEBRITY ECLIPSE.
6. On or about November 12, 2010, Plaintiff was a fare- paying passenger on Defendant's vessel CELEBRITY ECLIPSE, which was in navigable waters.
7. It was the duty of Defendant CELEBRITY to exercise reasonable care under the circumstances.
8. Notwithstanding Defendant's duty as aforesaid, Plaintiff was injured due to the fault and/or negligence of CELEBRITY, and/or its agents, servants, and/or employees as follows:
 - a. Failing to properly maintain a glass door in a reasonably safe condition, and/or;
 - b. Failing to provide adequate training, instruction, and proper supervision to crew members working in the ping pong room, and/or;
 - c. Failure to identify hazards to passengers like plaintiff using the ping pong room, and/or;
 - d. Failure to provide Plaintiff with a warning of the reasonably likely dangers of entering or exiting the ping pong room.
9. As a result of the foregoing, the Plaintiff was seriously injured when she attempted to exit the ping pong room and smashed her nose and face against an unmarked glass door, which had no decal on it or other warning sign in the immediate vicinity. In fact, just a few minutes earlier, Plaintiff had walked into

the room and this same glass door was open and it was reasonable for Plaintiff to believe that the door would be in the same open condition when she attempted to exit. An activities worker named Matt had closed the door without warning Plaintiff of whose presence he had actual knowledge.

10. At all times material hereto, Plaintiff acted with due care for her own safety.
11. At all times material, the Defendant either created the dangerous conditions of which Plaintiff complains and/or the dangerous conditions existed for a sufficient period of time that Defendant had constructive knowledge of the dangerous conditions and/or Defendant had actual knowledge of the dangerous conditions herein before alleged in paragraph eight to have caused Plaintiff's injury.
12. As a result of the negligence of the Defendant as aforesaid, the Plaintiff was injured in and about her body and extremities and suffered pain, mental and emotional distress and anguish therefrom; incurred medical expense, scarring, disfigurement and physical handicap and a loss of the ability to enjoy life; suffered a loss of enjoyment of the cruise and the money paid for the cruise, suffered an aggravation of previously known and/or unknown conditions, suffered a loss of earnings in the past, and a loss of earning capacity in the future. Said personal injuries are permanent and/or continuing in nature and the Plaintiff shall continue to suffer such losses and impairments in the future.

WHEREFORE, Plaintiff demands judgment from Defendant for damages, pre-judgment interest, costs and demands a trial by jury.

DATED this 21st Day of October, 2011.

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