

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

JAMISE BOZEMAN, JR.,

CASE NO.:

Plaintiff,

v.

ORACLE ELEVATOR HOLDCO, INC.,  
PREMIER ELEVATOR COMPANY, INC.,  
and SEA RANCH CLUB OF BOCA  
CONDOMINIUM ASSOCIATION, INC.,

Defendants.

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff, JAMISE BOZEMAN, JR. ("Plaintiff"), by and through his undersigned counsel, and hereby sues Defendants, ORACLE ELEVATOR HOLDCO, INC., PREMIER ELEVATOR COMPANY, INC., and SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., and in support thereof, alleges the following:

**GENERAL ALLEGATIONS**

1. This is an action for damages that exceeds Fifty Thousand Dollars (\$50,000.00), exclusive of interest, costs, and attorney's fees.
2. At all times material to this action, Plaintiff was a natural person residing in Broward County, Florida.
3. At all times material to this action, Defendant, ORACLE ELEVATOR HOLDCO, INC., was a Foreign Profit Corporation authorized and licensed to conduct and transact business in the State of Florida, specifically in Palm Beach County, Florida.

4. At all times material to this action, Defendant, ORACLE ELEVATOR HOLDCO, INC., maintained agents and/or representatives in Palm Beach County, Florida, for purposes of carrying out its business.

5. At all times material to this action, Defendant, ORACLE ELEVATOR HOLDCO, INC., either owned, possessed, controlled, operated, managed, and/or maintained the elevators on the subject premises located at or about 4001-4501 N Ocean Blvd, Boca Raton, FL 33431.

6. At all times material to this action, Defendant, PREMIER ELEVATOR COMPANY, INC., was a Foreign Profit Corporation authorized and licensed to conduct and transact business in the State of Florida, specifically in Palm Beach County, Florida.

7. At all times material to this action, Defendant, PREMIER ELEVATOR COMPANY, INC., maintained agents and/or representatives in Palm Beach County, Florida, for purposes of carrying out its business.

8. At all times material to this action, Defendant, PREMIER ELEVATOR COMPANY, INC., either owned, possessed, controlled, operated, managed, and/or maintained the elevators on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431.

9. At all times material to this action, Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., was a Florida Not For Profit Corporation authorized and licensed to conduct and transact business in the State of Florida, specifically in Palm Beach County, Florida.

10. At all times material to this action, Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., maintained agents and/or representatives in Palm Beach County, Florida, for purposes of carrying out its business.

11. At all times material to this action, Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., either owned, possessed, controlled, operated, managed, and/or maintained the elevators on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431.

12. On or about January 24, 2023, Plaintiff was lawfully on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, for a purpose directly or indirectly connected to the general premises.

13. At all times material to this action, Plaintiff was not prohibited from entering and/or being on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431.

14. At all times material to this action, Plaintiff did not remain on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, for an unreasonable amount of time.

15. All conditions precedent to the filing and/or maintenance of this action against Defendant, ORACLE ELEVATOR HOLDCO, INC., have been performed, occurred, excused, and/or waived.

16. All conditions precedent to the filing and/or maintenance of this action against Defendant, PREMIER ELEVATOR COMPANY, INC., have been performed, occurred, excused, and/or waived.

17. All conditions precedent to the filing and/or maintenance of this action against Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., have been performed, occurred, excused, and/or waived.

18. Venue is proper in Palm Beach County, Florida.

19. Jurisdiction is proper in Palm Beach County Circuit Court.

**COUNT I**

**NEGLIGENCE CLAIM AGAINST DEFENDANT,  
ORACLE ELEVATOR HOLDCO, INC.**

20. Plaintiff hereby adopts and realleges paragraphs one through nineteen (1-19) above, as though fully set forth and incorporated herein.

21. At all times material to this action, Defendant, ORACLE ELEVATOR HOLDCO, INC., owed a duty of care and a non-delegable duty of care to the Plaintiff, as an invitee, to maintain the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, in a reasonably safe condition.

22. At all times material to this action, Defendant, ORACLE ELEVATOR HOLDCO, INC., owed a duty of care and a non-delegable duty of care to the Plaintiff, as an invitee, to correct any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, ORACLE ELEVATOR HOLDCO, INC., its agents, servants, and/or employees, either knew or should have known, by the use of reasonable care.

23. At all times material to this action, Defendant, ORACLE ELEVATOR HOLDCO, INC., owed a duty of care and a non-delegable duty of care to the Plaintiff, as an invitee, to warn of any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, ORACLE ELEVATOR HOLDCO, INC., its agents, servants, and/or employees, had, or should have had, knowledge greater than that of the Plaintiff.

24. At all times material to this action, Defendant, ORACLE ELEVATOR HOLDCO, INC., owed a duty of care and a non-delegable duty of care to the Plaintiff, as an invitee, to remedy any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, ORACLE ELEVATOR HOLDCO, INC., its agents, servants, and/or employees, had, or should have had, actual and/or constructive knowledge.

25. Notwithstanding, Defendant, ORACLE ELEVATOR HOLDCO, INC., breached its duties of care owed to the Plaintiff, as an invitee, in one or more of the following manners<sup>1</sup>:

- a. Negligently failing to devise any policies and procedures or adequate policies and procedures for purposes of identifying any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
- b. Negligently failing to implement any policies and procedures or adequate policies and procedures for purposes of identifying any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;

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<sup>1</sup> The following breaches of duties owed to the Plaintiff are merely a representative sample of those breaches presently believed or known to exist and are neither intended to, nor do they serve to limit, any of the various breaches identified herein, or (a) any additional breaches which require further investigation and/or testing to identify; or (b) any additional breaches that have not been discovered or could not have been discovered through the exercise of reasonable diligence.

- c. Negligently failing to train its employees or adequately train its employees for purposes of identifying any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
- d. Negligently failing to inspect or adequately inspect the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, for purposes of evaluating and assessing whether the elevators located on said premises were functioning properly, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
- e. Negligently failing to test or adequately test the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, for purposes of evaluating and assessing whether the elevators located on said premises were functioning properly, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
- f. Negligently failing to maintain or adequately maintain the elevators located on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, in a reasonably safe condition, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
- g. Negligently failing to maintain or adequately maintain the elevators located on the subject premises located at 4001-4501 N Ocean Blvd, Boca

Raton, FL 33431, in a reasonably safe condition by not placing any signage and/or cones, or otherwise limiting and/or restricting access to the elevators located on said premises that were not functioning properly, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;

h. Negligently failing to correct any dangerous condition(s) in relation to the elevators located on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, about which Defendant, ORACLE ELEVATOR HOLDCO, INC., its agents, servants, and/or employees, either knew or should have known, by the use of reasonable care, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property; and

i. Negligently failing to warn the Plaintiff of any dangerous condition(s) in relation to the elevators located on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, about which Defendant, ORACLE ELEVATOR HOLDCO, INC., its agents, servants, and/or employees, had, or should have had, knowledge greater than that of the Plaintiff, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property.

26. As a result, while the Plaintiff was lawfully on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, on or about January 24, 2023, he was injured when the elevator he was in abruptly stopped.

27. The dangerous condition(s) associated with the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, were created by Defendant, ORACLE ELEVATOR HOLDCO, INC., its agents, servants, and/or employees, and/or known to Defendant, ORACLE ELEVATOR HOLDCO, INC., its agents, servants, and/or employees, and/or existed for a sufficient length of time that in the exercise of ordinary care, Defendant, ORACLE ELEVATOR HOLDCO, INC., its agents, servants, and/or employees, knew or should have known of the dangerous condition(s), and/or the dangerous condition(s) occur with regularity and was thus foreseeable, and therefore, Defendant, ORACLE ELEVATOR HOLDCO, INC., its agents, servants, and/or employees, should have taken action to remedy it, but failed to do so, thereby creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property.

28. The dangerous condition(s) associated with the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, were neither open nor obvious.

29. As a direct and proximate result of Defendant, ORACLE ELEVATOR HOLDCO, INC.'S failure to maintain the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, in a reasonably safe condition, or in other words, due to Defendant, ORACLE ELEVATOR HOLDCO, INC.'S negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about his body and extremities, resulting in pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, aggravation and/or activation of pre-existing injury(ies) and/or condition(s), pre-disposition to further bodily injury(ies), expense of hospitalization, medical and/or nursing services, care, and treatment, loss of earnings in the past and future, loss of the ability to earn in the future, loss of compensation in



the past and future, transportation expenses, and out-of-pocket expenses. The losses are either permanent or continuing in nature and the Plaintiff will continue to suffer such losses in the future.

30. As a direct and proximate result of Defendant, ORACLE ELEVATOR HOLDCO, INC.'S failure to correct any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, ORACLE ELEVATOR HOLDCO, INC., its agents, servants, and/or employees, either knew or should have known, by the use of reasonable care, or in other words, due to Defendant, ORACLE ELEVATOR HOLDCO, INC.'S negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about his body and extremities, resulting in pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, aggravation and/or activation of pre-existing injury(ies) and/or condition(s), pre-disposition to further bodily injury(ies), expense of hospitalization, medical and/or nursing services, care, and treatment, loss of earnings in the past and future, loss of the ability to earn in the future, loss of compensation in the past and future, transportation expenses, and out-of-pocket expenses. The losses are either permanent or continuing in nature and the Plaintiff will continue to suffer such losses in the future.

31. As a direct and proximate result of Defendant, ORACLE ELEVATOR HOLDCO, INC.'S failure to warn the Plaintiff of any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, ORACLE ELEVATOR HOLDCO, INC., its agents, servants, and/or employees, had, or should have had, knowledge greater than that of the Plaintiff, or in other words, due to Defendant, ORACLE ELEVATOR HOLDCO, INC.'S negligence and/or

breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about his body and extremities, resulting in pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, aggravation and/or activation of pre-existing injury(ies) and/or condition(s), pre-disposition to further bodily injury(ies), expense of hospitalization, medical and/or nursing services, care, and treatment, loss of earnings in the past and future, loss of the ability to earn in the future, loss of compensation in the past and future, transportation expenses, and out-of-pocket expenses. The losses are either permanent or continuing in nature and the Plaintiff will continue to suffer such losses in the future.

32. As a direct and proximate result of Defendant, ORACLE ELEVATOR HOLDCO, INC.'S failure to take action to remedy any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, ORACLE ELEVATOR HOLDCO, INC., its agents, servants, and/or employees, had, or should have had, actual knowledge and/or constructive knowledge, or in other words, due to Defendant, ORACLE ELEVATOR HOLDCO, INC.'S negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about his body and extremities, resulting in pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, aggravation and/or activation of pre-existing injury(ies) and/or condition(s), pre-disposition to further bodily injury(ies), expense of hospitalization, medical and/or nursing services, care, and treatment, loss of earnings in the past and future, loss of the ability to earn in the future, loss of compensation in the past and future, transportation expenses, and out-of-pocket expenses. The

losses are either permanent or continuing in nature and the Plaintiff will continue to suffer such losses in the future.

WHEREFORE, Plaintiff, JAMISE BOZEMAN, JR., demands judgment for all damages against Defendant, ORACLE ELEVATOR HOLDCO, INC., in excess of Fifty Thousand Dollars (\$50,000.00), as well as all taxable costs, and for any and all further relief this Honorable Court deems just and proper under the circumstances.

**COUNT II**

**NEGLIGENCE CLAIM AGAINST DEFENDANT,  
PREMIER ELEVATOR COMPANY, INC.**

33. Plaintiff hereby adopts and realleges paragraphs one through nineteen (1-19) above, as though fully set forth and incorporated herein.

34. At all times material to this action, Defendant, PREMIER ELEVATOR COMPANY, INC., owed a duty of care and a non-delegable duty of care to the Plaintiff, as an invitee, to maintain the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, in a reasonably safe condition.

35. At all times material to this action, Defendant, PREMIER ELEVATOR COMPANY, INC., owed a duty of care and a non-delegable duty of care to the Plaintiff, as an invitee, to correct any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, PREMIER ELEVATOR COMPANY, INC., its agents, servants, and/or employees, either knew or should have known, by the use of reasonable care.

36. At all times material to this action, Defendant, PREMIER ELEVATOR COMPANY, INC., owed a duty of care and a non-delegable duty of care to the Plaintiff, as an invitee, to warn of any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, PREMIER ELEVATOR COMPANY, INC., its agents, servants, and/or employees, had, or should have had, knowledge greater than that of the Plaintiff.

37. At all times material to this action, Defendant, PREMIER ELEVATOR COMPANY, INC., owed a duty of care and a non-delegable duty of care to the Plaintiff, as an invitee, to remedy any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, PREMIER ELEVATOR COMPANY, INC., its agents, servants, and/or employees, had, or should have had, actual and/or constructive knowledge.

38. Notwithstanding, Defendant, PREMIER ELEVATOR COMPANY, INC., breached its duties of care owed to the Plaintiff, as an invitee, in one or more of the following manners<sup>2</sup>:

- a. Negligently failing to devise any policies and procedures or adequate policies and procedures for purposes of identifying any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises,

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<sup>2</sup> The following breaches of duties owed to the Plaintiff are merely a representative sample of those breaches presently believed or known to exist and are neither intended to, nor do they serve to limit, any of the various breaches identified herein, or (a) any additional breaches which require further investigation and/or testing to identify; or (b) any additional breaches that have not been discovered or could not have been discovered through the exercise of reasonable diligence.

thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;

- b. Negligently failing to implement any policies and procedures or adequate policies and procedures for purposes of identifying any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
- c. Negligently failing to train its employees or adequately train its employees for purposes of identifying any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
- d. Negligently failing to inspect or adequately inspect the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, for purposes of evaluating and assessing whether the elevators located on said premises were functioning properly, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
- e. Negligently failing to test or adequately test the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, for purposes of evaluating and assessing whether the elevators located on said premises

- were functioning properly, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
- f. Negligently failing to maintain or adequately maintain the elevators located on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, in a reasonably safe condition, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
  - g. Negligently failing to maintain or adequately maintain the elevators located on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, in a reasonably safe condition by not placing any signage and/or cones, or otherwise limiting and/or restricting access to the elevators located on said premises that were not functioning properly, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
  - h. Negligently failing to correct any dangerous condition(s) in relation to the elevators located on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, about which Defendant, PREMIER ELEVATOR COMPANY, INC., its agents, servants, and/or employees, either knew or should have known, by the use of reasonable care, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property; and
  - i. Negligently failing to warn the Plaintiff of any dangerous condition(s) in relation to the elevators located on the subject premises located at 4001-

4501 N Ocean Blvd, Boca Raton, FL 33431, about which Defendant, PREMIER ELEVATOR COMPANY, INC., its agents, servants, and/or employees, had, or should have had, knowledge greater than that of the Plaintiff, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property.

39. As a result, while the Plaintiff was lawfully on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, on or about January 24, 2023, he was injured when the elevator he was in abruptly stopped.

40. The dangerous condition(s) associated with the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, were created by Defendant, PREMIER ELEVATOR COMPANY, INC., its agents, servants, and/or employees, and/or known to Defendant, PREMIER ELEVATOR COMPANY, INC., its agents, servants, and/or employees, and/or existed for a sufficient length of time that in the exercise of ordinary care, Defendant, PREMIER ELEVATOR COMPANY, INC., its agents, servants, and/or employees, knew or should have known of the dangerous condition(s), and/or the dangerous condition(s) occur with regularity and was thus foreseeable, and therefore, Defendant, PREMIER ELEVATOR COMPANY, INC., its agents, servants, and/or employees, should have taken action to remedy it, but failed to do so, thereby creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property.

41. The dangerous condition(s) associated with the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, were neither open nor obvious.

42. As a direct and proximate result of Defendant, PREMIER ELEVATOR COMPANY, INC.'S failure to maintain the subject premises located at 4001-4501 N Ocean

Blvd, Boca Raton, FL 33431, including the elevators located on said premises, in a reasonably safe condition, or in other words, due to Defendant, PREMIER ELEVATOR COMPANY, INC.'S negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about his body and extremities, resulting in pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, aggravation and/or activation of pre-existing injury(ies) and/or condition(s), pre-disposition to further bodily injury(ies), expense of hospitalization, medical and/or nursing services, care, and treatment, loss of earnings in the past and future, loss of the ability to earn in the future, loss of compensation in the past and future, transportation expenses, and out-of-pocket expenses. The losses are either permanent or continuing in nature and the Plaintiff will continue to suffer such losses in the future.

43. As a direct and proximate result of Defendant, PREMIER ELEVATOR COMPANY, INC.'S failure to correct any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, PREMIER ELEVATOR COMPANY, INC., its agents, servants, and/or employees, either knew or should have known, by the use of reasonable care, or in other words, due to Defendant, PREMIER ELEVATOR COMPANY, INC.'S negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about his body and extremities, resulting in pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, aggravation and/or activation of pre-existing injury(ies) and/or condition(s), pre-disposition to further bodily injury(ies), expense of hospitalization, medical and/or nursing services, care, and treatment, loss of earnings in the past and future, loss of the ability to earn in the future, loss of



compensation in the past and future, transportation expenses, and out-of-pocket expenses. The losses are either permanent or continuing in nature and the Plaintiff will continue to suffer such losses in the future.

44. As a direct and proximate result of Defendant, PREMIER ELEVATOR COMPANY, INC.'S failure to warn the Plaintiff of any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, PREMIER ELEVATOR COMPANY, INC., its agents, servants, and/or employees, had, or should have had, knowledge greater than that of the Plaintiff, or in other words, due to Defendant, PREMIER ELEVATOR COMPANY, INC.'S negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about his body and extremities, resulting in pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, aggravation and/or activation of pre-existing injury(ies) and/or condition(s), pre-disposition to further bodily injury(ies), expense of hospitalization, medical and/or nursing services, care, and treatment, loss of earnings in the past and future, loss of the ability to earn in the future, loss of compensation in the past and future, transportation expenses, and out-of-pocket expenses. The losses are either permanent or continuing in nature and the Plaintiff will continue to suffer such losses in the future.

45. As a direct and proximate result of Defendant, PREMIER ELEVATOR COMPANY, INC.'S failure to take action to remedy any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, PREMIER ELEVATOR COMPANY, INC., its agents, servants, and/or employees, had, or should have had, actual knowledge and/or

constructive knowledge, or in other words, due to Defendant, PREMIER ELEVATOR COMPANY, INC.'S negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about his body and extremities, resulting in pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, aggravation and/or activation of pre-existing injury(ies) and/or condition(s), pre-disposition to further bodily injury(ies), expense of hospitalization, medical and/or nursing services, care, and treatment, loss of earnings in the past and future, loss of the ability to earn in the future, loss of compensation in the past and future, transportation expenses, and out-of-pocket expenses. The losses are either permanent or continuing in nature and the Plaintiff will continue to suffer such losses in the future.

WHEREFORE, Plaintiff, JAMISE BOZEMAN, JR., demands judgment for all damages against Defendant, PREMIER ELEVATOR COMPANY, INC., in excess of Fifty Thousand Dollars (\$50,000.00), as well as all taxable costs, and for any and all further relief this Honorable Court deems just and proper under the circumstances.

**COUNT III**

**NEGLIGENCE CLAIM AGAINST DEFENDANT,  
SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC.**

46. Plaintiff hereby adopts and realleges paragraphs one through nineteen (1-19) above, as though fully set forth and incorporated herein.

47. At all times material to this action, Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., owed a duty of care and a non-delegable duty of care to the Plaintiff, as an invitee, to maintain the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, in a reasonably safe condition.

48. At all times material to this action, Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., owed a duty of care and a non-delegable duty of care to the Plaintiff, as an invitee, to correct any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., its agents, servants, and/or employees, either knew or should have known, by the use of reasonable care.

49. At all times material to this action, Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., owed a duty of care and a non-delegable duty of care to the Plaintiff, as an invitee, to warn of any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., its agents, servants, and/or employees, had, or should have had, knowledge greater than that of the Plaintiff.

50. At all times material to this action, Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., owed a duty of care and a non-delegable duty of care to the Plaintiff, as an invitee, to remedy any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., its agents, servants, and/or employees, had, or should have had, actual and/or constructive knowledge.

51. Notwithstanding, Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., breached its duties of care owed to the Plaintiff, as an invitee, in one or more of the following manners<sup>3</sup>:

- a. Negligently failing to devise any policies and procedures or adequate policies and procedures for purposes of identifying any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
- b. Negligently failing to implement any policies and procedures or adequate policies and procedures for purposes of identifying any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
- c. Negligently failing to train its employees or adequately train its employees for purposes of identifying any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, thus creating a

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<sup>3</sup> The following breaches of duties owed to the Plaintiff are merely a representative sample of those breaches presently believed or known to exist and are neither intended to, nor do they serve to limit, any of the various breaches identified herein, or (a) any additional breaches which require further investigation and/or testing to identify; or (b) any additional breaches that have not been discovered or could not have been discovered through the exercise of reasonable diligence.

foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;

- d. Negligently failing to inspect or adequately inspect the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, for purposes of evaluating and assessing whether the elevators located on said premises were functioning properly, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
- e. Negligently failing to test or adequately test the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, for purposes of evaluating and assessing whether the elevators located on said premises were functioning properly, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
- f. Negligently failing to maintain or adequately maintain the elevators located on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, in a reasonably safe condition, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;
- g. Negligently failing to maintain or adequately maintain the elevators located on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, in a reasonably safe condition by not placing any signage and/or cones, or otherwise limiting and/or restricting access to the elevators located on said premises that were not functioning properly, thus

creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property;

- h. Negligently failing to correct any dangerous condition(s) in relation to the elevators located on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, about which Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., its agents, servants, and/or employees, either knew or should have known, by the use of reasonable care, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property; and
- i. Negligently failing to warn the Plaintiff of any dangerous condition(s) in relation to the elevators located on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, about which Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., its agents, servants, and/or employees, had, or should have had, knowledge greater than that of the Plaintiff, thus creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property.

52. As a result, while the Plaintiff was lawfully on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, on or about January 24, 2023, he was injured when the elevator he was in abruptly stopped.

53. The dangerous condition(s) associated with the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, were created by Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., its agents, servants, and/or employees, and/or known to Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM

ASSOCIATION, INC., its agents, servants, and/or employees, and/or existed for a sufficient length of time that in the exercise of ordinary care, Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., its agents, servants, and/or employees, knew or should have known of the dangerous condition(s), and/or the dangerous condition(s) occur with regularity and was thus foreseeable, and therefore, Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., its agents, servants, and/or employees, should have taken action to remedy it, but failed to do so, thereby creating a foreseeable zone of risk to guests, including the Plaintiff, when traversing inside the subject property.

54. The dangerous condition(s) associated with the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, were neither open nor obvious.

55. As a direct and proximate result of Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC.'S failure to maintain the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, in a reasonably safe condition, or in other words, due to Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC.'S negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about his body and extremities, resulting in pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, aggravation and/or activation of pre-existing injury(ies) and/or condition(s), pre-disposition to further bodily injury(ies), expense of hospitalization, medical and/or nursing services, care, and treatment, loss of earnings in the past and future, loss of the ability to earn in the future, loss of compensation in the past and future, transportation expenses, and out-of-pocket expenses. The losses are either permanent or continuing in nature and the Plaintiff will continue to suffer such losses in the future.

56. As a direct and proximate result of Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC.'S failure to correct any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., its agents, servants, and/or employees, either knew or should have known, by the use of reasonable care, or in other words, due to Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC.'S negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about his body and extremities, resulting in pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, aggravation and/or activation of pre-existing injury(ies) and/or condition(s), pre-disposition to further bodily injury(ies), expense of hospitalization, medical and/or nursing services, care, and treatment, loss of earnings in the past and future, loss of the ability to earn in the future, loss of compensation in the past and future, transportation expenses, and out-of-pocket expenses. The losses are either permanent or continuing in nature and the Plaintiff will continue to suffer such losses in the future.

57. As a direct and proximate result of Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC.'S failure to warn the Plaintiff of any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., its agents, servants, and/or employees, had, or should have had, knowledge greater than that of the Plaintiff, or in other words, due to Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC.'S



negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about his body and extremities, resulting in pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, aggravation and/or activation of pre-existing injury(ies) and/or condition(s), pre-disposition to further bodily injury(ies), expense of hospitalization, medical and/or nursing services, care, and treatment, loss of earnings in the past and future, loss of the ability to earn in the future, loss of compensation in the past and future, transportation expenses, and out-of-pocket expenses. The losses are either permanent or continuing in nature and the Plaintiff will continue to suffer such losses in the future.

58. As a direct and proximate result of Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC.'S failure to take action to remedy any dangerous condition(s) on the subject premises located at 4001-4501 N Ocean Blvd, Boca Raton, FL 33431, including the elevators located on said premises, about which Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., its agents, servants, and/or employees, had, or should have had, actual knowledge and/or constructive knowledge, or in other words, due to Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC.'S negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about his body and extremities, resulting in pain and suffering, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, aggravation and/or activation of pre-existing injury(ies) and/or condition(s), pre-disposition to further bodily injury(ies), expense of hospitalization, medical and/or nursing services, care, and treatment, loss of earnings in the past and future, loss of the ability to earn in the future, loss of compensation in the past and future, transportation expenses, and out-of-pocket expenses. The

losses are either permanent or continuing in nature and the Plaintiff will continue to suffer such losses in the future.

WHEREFORE, Plaintiff, JAMISE BOZEMAN, JR., demands judgment for all damages against Defendant, SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., in excess of Fifty Thousand Dollars (\$50,000.00), as well as all taxable costs, and for any and all further relief this Honorable Court deems just and proper under the circumstances.

**DEMAND FOR JURY TRIAL**

Plaintiff, JAMISE BOZEMAN, JR., hereby demands trial by jury of all issues so triable as a matter of right.

WHEREFORE, Plaintiff, JAMISE BOZEMAN, JR., demands judgment for all damages against Defendants, ORACLE ELEVATOR HOLDCO, INC., PREMIER ELEVATOR COMPANY, INC., and SEA RANCH CLUB OF BOCA CONDOMINIUM ASSOCIATION, INC., in excess of Fifty Thousand Dollars (\$50,000.00), as well as all taxable costs, and for any and all further relief this Honorable Court deems just and proper under the circumstances.

RESPECTFULLY submitted this 12h day of July 2024.

**THE INJURY FIRM**

/s/ Francesca Vigna  
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*Counsel for Plaintiff*

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