

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

CASE NO:

STEPHANIE BARISONI, as Natural
Parent and Guardian of MELODY
ZAMORA, a minor, and STEPHANIE
BARISONI, individually,

Plaintiffs,

v.

APX BOOMERS! BOCA RATON, LLC,
a Foreign Limited Liability Company,

Defendants.

COMPLAINT

COMES NOW Plaintiff, STEPHANIE BARISONI, as natural parent and guardian of MELODY ZAMORA, a minor, and STEPHANIE BARISONI, individually, by and through their undersigned counsel, and sue Defendant, APX BOOMERS! BOCA RATON, LLC, and state as follows:

PARTIES

1. This is an action for damages that exceed Fifty Thousand Dollars (\$50,000.00), exclusive of costs and attorneys' fees, and is within the jurisdictional limits of this Court.
2. Plaintiff, Melody Zamora is a minor, by and through her parent and natural guardian, Stephanie Barisoni, a resident of Florida.
3. Plaintiff, Stephanie Barisoni is a resident of Florida and is the mother and natural guardian of minor Melody Zamora.
4. Defendant APX BOOMERS! BOCA RATON, LLC is a limited liability company formed under the laws of Florida with a principal place of business in Boca Raton, Florida.

JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction over this action pursuant to , as this is an action at law not vested in the county courts and the matter in controversy exceeds the jurisdictional limits of the county court.

6. This Court has personal jurisdiction over APX BOOMERS! BOCA RATON, LLC because the incident and alleged negligence occurred in Palm Beach County, Florida.

7. Venue is proper because Palm Beach County is where the cause of action accrued.

STATEMENT OF FACTS

8. On March 20, 2024, Melody Zamora and her mother, Stephanie Barisoni, visited Boomers Boca Raton, an amusement facility located in Boca Raton, Florida.

9. Boomers Boca Raton is owned and operated by Defendant APX BOOMERS! BOCA RATON, LLC.

10. While at Boomers Boca Raton, Melody Zamora, a minor, rode on the go-kart track operated by Defendant.

11. The go-kart track was open to multiple patrons at the same time.

12. While Melody was riding a go-kart on the track, other individuals on the go-kart track were driving recklessly.

13. Defendant failed to adequately supervise the go-kart drivers on the track.

14. Defendant failed to enforce safety rules on the go-kart track.

15. Defendant failed to warn Melody Zamora or her mother of the dangers associated with reckless driving by other patrons on the go-kart track.

16. Defendant failed to adequately train its employees to supervise the go-kart track and enforce safety rules.

17. While Melody was operating her go-kart on the track, another go-kart driver rear-ended Melody's go-kart.

18. As a result of the collision, Melody's head snapped backwards.

19. Melody's head struck the headrest area of the go-kart.

20. The collision caused Melody to sustain injuries.

21. Melody required medical treatment for her injuries.

22. Stephanie Barisoni, as Melody's mother, incurred medical expenses for Melody's treatment.

23. Stephanie Barisoni suffered loss of Melody's services, companionship, and consortium as a result of Melody's injuries.

24. All conditions precedent to the bringing of this action have been performed, have occurred, or have been waived.

CLAIMS FOR RELIEF

COUNT I - NEGLIGENCE

25. Plaintiff repeats and realleges the allegations set forth in paragraphs 1 through 24 as if fully set forth herein.

26. Defendant owed a duty of care to Plaintiff Melody Zamora.

27. As the owner and operator of Boomers Boca Raton and its go-kart facility, Defendant owed a duty to Melody Zamora, a patron, to operate the facility safely, to supervise activities on the premises, and to protect patrons from foreseeable harm.

28. Defendant breached its duty of care to Plaintiff.

29. Defendant breached its duty by failing to adequately supervise the go-kart drivers on the track, failing to enforce safety rules, failing to prevent reckless driving, and failing to maintain safe operations of the go-kart facility.

30. Defendant's breach of duty was the proximate cause of Plaintiff's injuries.

31. The reckless driving of another patron, which Defendant failed to prevent through adequate supervision and enforcement of safety rules, directly caused the collision that injured Melody Zamora.

32. But for Defendant's failure to supervise and enforce safety rules, the collision would not have occurred.

33. Plaintiff Melody Zamora suffered damages.

34. As a result of the collision, Melody sustained bodily injuries requiring medical treatment.

35. Melody suffered pain and suffering as a result of her injuries.

COUNT II - NEGLIGENT SUPERVISION

36. Plaintiff repeats and realleges the allegations set forth in paragraphs 1 through 35 as if fully set forth herein.

37. Defendant had a duty to supervise the go-kart track and the drivers operating go-karts.
38. As the owner and operator of the go-kart facility, Defendant had a duty to supervise the go-kart track to ensure that patrons operated the go-karts safely and in accordance with safety rules.
39. Defendant failed to exercise reasonable supervision.
40. Defendant failed to adequately supervise the go-kart drivers on the track, allowing reckless driving to occur without intervention or enforcement of safety rules.
41. Defendant failed to have adequate staff present to supervise the go-kart track.
42. Defendant's failure to supervise was a proximate cause of Plaintiff's injury.
43. The reckless driving of another go-kart operator, which was not prevented or stopped due to Defendant's inadequate supervision, directly caused the collision that injured Melody Zamora.
44. Adequate supervision would have prevented the reckless driving and the resulting collision.
45. Plaintiff Melody Zamora suffered damages.
46. As a result of the collision caused by Defendant's failure to supervise, Melody sustained injuries requiring medical treatment and suffered pain and suffering.

COUNT III - NEGLIGENT FAILURE TO WARN

47. Plaintiff repeats and realleges the allegations set forth in paragraphs 1 through 46 as if fully set forth herein.
48. Defendant knew or should have known of a dangerous condition or risk.
49. As the owner and operator of a go-kart facility, Defendant knew or should have known that go-kart drivers could engage in reckless driving that poses a risk of collision and injury to other drivers.
50. Defendant knew or should have known that without adequate supervision and warnings, patrons would drive recklessly and endanger other patrons.
51. Defendant failed to warn Plaintiff of the danger.
52. Defendant failed to warn Melody Zamora or her mother, Stephanie Barisoni, of the risk of reckless driving by other patrons on the go-kart track.

53. Defendant failed to warn of the specific dangers of being struck by another go-kart driven recklessly.

54. Defendant failed to post adequate warnings or provide verbal warnings about the risks.

55. Plaintiff was unaware of the danger.

56. Melody Zamora was unaware of the specific risk of being rear-ended by a reckless driver on the go-kart track.

57. Had Melody or her mother been warned of the specific dangers, they could have taken precautions or chosen not to participate in the activity.

58. Defendant's failure to warn was a proximate cause of Plaintiff's injury.

59. The failure to warn of the danger of reckless driving, combined with the reckless driving that occurred, directly caused the collision and Melody's injuries.

60. Had adequate warnings been provided, the collision could have been avoided.

61. Plaintiff Melody Zamora suffered damages.

62. As a result of the collision caused by Defendant's failure to warn, Melody sustained injuries requiring medical treatment and suffered pain and suffering.

COUNT IV - NEGLIGENT TRAINING OF EMPLOYEES

63. Plaintiff repeats and realleges the allegations set forth in paragraphs 1 through 62 as if fully set forth herein.

64. Defendant employed individuals to operate and supervise the go-kart facility and track.

65. Defendant employed staff members whose responsibilities included supervising the go-kart track, enforcing safety rules, and ensuring safe operations.

66. Defendant failed to adequately train these employees.

67. Defendant failed to adequately train its employees to supervise go-kart drivers, to identify and stop reckless driving, and to enforce safety rules on the go-kart track.

68. Defendant failed to provide its employees with adequate training on how to prevent collisions and injuries on the go-kart track.

69. Defendant's failure to train was a proximate cause of Plaintiff's injury.

70. The inadequate training of employees resulted in a failure to supervise the go-kart track adequately, which allowed reckless driving to occur.

71. The reckless driving, which could have been prevented by properly trained employees, directly caused the collision and Melody's injuries.

72. Properly trained employees would have identified and stopped the reckless driving before the collision occurred.

73. Plaintiff Melody Zamora suffered damages.

74. As a result of the collision caused by Defendant's failure to train its employees, Melody sustained injuries requiring medical treatment and suffered pain and suffering.

COUNT V - PREMISES LIABILITY

75. Plaintiff repeats and realleges the allegations set forth in paragraphs 1 through 74 as if fully set forth herein.

76. Defendant owned, occupied, and operated the premises.

77. Defendant owned and operated Boomers Boca Raton, including the go-kart facility and track where Melody was injured.

78. Plaintiff was an invitee on the premises.

79. Melody Zamora was an invitee on the premises, having paid to use the go-kart track at Boomers Boca Raton.

80. The premises contained a dangerous condition.

81. The go-kart track was operated without adequate supervision, allowing reckless driving to occur, which constituted a dangerous condition on the premises.

82. The lack of adequate supervision and enforcement of safety rules created an unreasonably dangerous condition for patrons using the go-kart track.

83. Defendant knew or should have known of the dangerous condition.

84. Defendant knew or should have known that without adequate supervision, go-kart drivers would engage in reckless behavior that could injure other drivers.

85. Defendant knew or should have known that the lack of supervision created a dangerous condition on the premises.

86. Defendant failed to exercise reasonable care to protect Plaintiff from the danger.

87. Defendant failed to exercise reasonable care by not adequately supervising the track, not training employees to supervise properly, not enforcing safety rules, and not warning patrons of the dangers.

88. Defendant failed to take reasonable steps to eliminate or mitigate the dangerous condition.

89. The dangerous condition was a proximate cause of Plaintiff's injury.

90. The dangerous condition of inadequate supervision directly caused the reckless driving that led to the collision and Melody's injuries.

91. Plaintiff Melody Zamora suffered damages.

92. As a result of the dangerous condition on Defendant's premises, Melody sustained injuries requiring medical treatment and suffered pain and suffering.

COUNT VI - DERIVATIVE CLAIM

93. Plaintiff Stephanie Barisoni repeats and realleges the allegations set forth in paragraphs 1 through 92 as if fully set forth herein.

94. Defendant's negligence caused injury to the minor child, Melody Zamora.

95. As alleged in Counts I through V, Defendant's negligence, negligent supervision, negligent failure to warn, negligent training of employees, and premises liability caused injuries to Melody Zamora.

96. Plaintiff Stephanie Barisoni suffered damages as a result of her child's injury.

97. Stephanie Barisoni incurred medical expenses for the treatment of Melody's injuries.

98. Stephanie Barisoni suffered loss of Melody's services, companionship, and consortium as a result of Melody's injuries.

99. Stephanie Barisoni suffered emotional distress as a result of Melody's injuries.

100. Plaintiff Stephanie Barisoni has standing to bring a derivative claim.

101. Pursuant to , Stephanie Barisoni, as the mother and natural guardian of Melody Zamora, has standing to bring a derivative claim for her own damages resulting from the injury to her child.

//

PRAYER FOR RELIEF

WHEREFORE, the Plaintiffs respectfully request that this Court enter judgment in their favor and against Defendant as follows:

1. Compensatory damages against Defendant for all reasonable and necessary medical expenses incurred by Melody Zamora in treating her injuries, including emergency care, hospitalization, diagnostic imaging, physician services, physical therapy, and any ongoing or future medical treatment related to the injuries sustained in the collision.

2. Compensatory damages against Defendant for Melody Zamora's pain, suffering, and emotional distress resulting from the collision and her injuries, including past pain and suffering and future pain and suffering reasonably anticipated to result from the injuries.

3. Compensatory damages against Defendant for Stephanie Barisoni's loss of Melody Zamora's services, companionship, and consortium resulting from Melody's injuries.

4. Compensatory damages against Defendant for all reasonable and necessary medical expenses incurred by Stephanie Barisoni in treating Melody Zamora's injuries.

5. Pre-judgment and post-judgment interest as provided by law.

6. Costs of suit incurred herein.

7. Such other relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff further demands a trial by jury on all issues so triable.

Dated this 20th day of March 2026.



John W. Kilpatrick III, Esq.
Florida Bar No.: 117786
John@johnkilpatricklaw.com
John Kilpatrick Law, PLLC
290 Citrus Tower Boulevard, Suite 225
Clermont, FL 34711
Telephone: 352-634-6923
Facsimile: 352-352-1663
Attorneys for Plaintiffs