

**IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA**

**JARED PRUZAN, as Parent and Natural  
Guardian of J.P., a minor,**

**CASE NO.:**

**Plaintiff,**

v.

**AMERICAN HERITAGE SCHOOL OF BOCA  
DELRAY INC.; AMERICAN LEARNING  
SYSTEMS OF BOCA DELRAY, INC.; and  
AMERICAN LEARNING SYSTEMS, INC.,**

**Defendants.**

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff, JARED PRUZAN, as Parent and Natural Guardian of J.P., a minor, by and through their undersigned counsel, sues the Defendants, AMERICAN HERITAGE SCHOOL OF BOCA DELRAY INC., AMERICAN LEARNING SYSTEMS OF BOCA DELRAY, INC., and AMERICAN LEARNING SYSTEMS, INC., and alleges as follows:

**GENERAL ALLEGATIONS**

1. This is an action for damages in excess of Fifty Thousand Dollars (\$50,000.00), exclusive of interest and costs.
2. At all times material hereto, Plaintiff JARED PRUZAN is the parent and natural guardian of J.P., a minor child who, at the time of the incident described herein, was six (6) years of age and a lawful invitee upon the premises on the subject date of loss.
3. At all times material hereto, Defendant AMERICAN HERITAGE SCHOOL OF BOCA DELRAY INC. (hereinafter "American Heritage") is a Florida corporation doing business in Palm

Beach County, Florida, owns, operates, controls, and/or manages the subject Premises, and is otherwise *sui juris*.

4. At all times material hereto, Defendant AMERICAN LEARNING SYSTEMS OF BOCA DELRAY, INC. (hereinafter "ALS Boca Delray") is a Florida corporation doing business in Palm Beach County, Florida, owns, operates, controls, and/or manages the subject Premises, and is otherwise *sui juris*.

5. At all times material hereto, Defendant AMERICAN LEARNING SYSTEMS, INC. (hereinafter "ALS") is a Florida corporation doing business in Palm Beach County, Florida, owns, operates, controls, manages, and/or is the parent company of the subject Premises, and is otherwise *sui juris*.

6. Venue is proper in Palm Beach County, Florida, as the subject incident occurred in Palm Beach County, Florida.

7. At all times material hereto, Defendants owned, operated, managed, maintained, and/or controlled the premises known as American Heritage School of Boca Delray, located in Palm Beach County, Florida (hereinafter the "Premises").

8. At all times material hereto, J.P. was enrolled as a camper at the subject premises, therefore, was a lawful business invitee to whom Defendants owed a duty of reasonable care.

9. Prior to and at the time of the incident, the floor surface at the location of the fall was excessively and unreasonably wet, creating a dangerous and hazardous condition for persons traversing that area.

10. On or about July 2, 2024, while lawfully upon the Premises, J.P. slipped and fell on the overly wet floor resulting in severe personal injuries.

11. Defendants created and/or had actual and/or constructive knowledge of the dangerous wet floor condition for an unreasonable length of time prior to the incident, and failed to remedy the same.

12. Additionally, Defendants failed to properly warn and/or prevent J.P. from traversing the dangerously wet floor, despite having superior (actual and/or constructive) knowledge of same.

13. Moreover, Defendant's failed to properly supervise the minor child, thus allowing the minor child to traverse through the dangerous and hazardous condition of the subject floor.

14. As a direct and proximate result of the dangerous condition and Defendants' negligence, J.P. suffered bodily injury, resulting in pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, and other losses. These losses are either permanent or continuing in nature and J.P. will suffer these losses in the future.

**COUNT I**

**NEGLIGENCE OF AMERICAN HERITAGE SCHOOL OF BOCA DELRAY INC.**

15. Plaintiff, JARED PRUZAN, as Parent and Natural Guardian of J.P., a minor, re-alleges and re-avers each and every allegation set forth in paragraphs 1 through 14 of the General Allegations as though fully set forth herein.

16. At all times material hereto, Defendant American Heritage owed J.P., a six (6) year-old business invitee, a non-delegable duty to maintain the Premises in a reasonably safe condition, to correct dangerous conditions, and to warn of any dangers about which it knew or should have known through the exercise of reasonable care.

17. Defendant American Heritage, by and through its personnel, employees, and/or authorized agents, breached its duties to J.P. in the following negligent and careless manner:

- a. Created and/or allowed to exist a dangerous and hazardous condition on the Premises, namely an overly wet floor surface;
- b. Failed to take appropriate safety measures to properly maintain the floor in a safe and dry condition;
- c. Failed to inspect the Premises for dangerous or transient wet floor conditions with reasonable regularity;
- d. Failed to take appropriate safety measures to correct a wet floor condition that might foreseeably give rise to loss, injury, or damage;
- e. Failed to warn invitees, and particularly J.P., of the known or knowable dangerous wet floor condition, or in the alternative, allowing said dangerous condition to remain when a reasonable inspection would have disclosed the same;
- f. Permitted the dangerous wet floor condition to remain when Defendant knew or should have known that it posed a hazardous condition to all persons on the Premises, and particularly the minor child J.P.;
- g. Failed to adequately supervise the minor child J.P., who was six (6) years of age at the time of the incident; and
- h. Otherwise failed to exercise reasonable care under the circumstances.

18. As a direct and proximate result of Defendant American Heritage's careless and negligent conduct as aforesaid, J.P. suffered bodily injury, resulting in pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, and other losses. These losses are either permanent or continuing and J.P. will suffer the losses in the future.

19. WHEREFORE, Plaintiff, JARED PRUZAN, as Parent and Natural Guardian of J.P., a minor, demands judgment against the Defendant, AMERICAN HERITAGE SCHOOL OF BOCA DELRAY INC., for damages in excess of Fifty Thousand Dollars (\$50,000.00), exclusive of interest and costs, which he prays for in addition thereto, and further demands trial by jury on all issues so triable, and further relief as this Court deems just.

**COUNT II**  
**NEGLIGENCE OF AMERICAN LEARNING SYSTEMS OF BOCA DELRAY, INC.**

20. Plaintiff, JARED PRUZAN, as Parent and Natural Guardian of J.P., a minor, re-alleges and re-avers each and every allegation set forth in paragraphs 1 through 14 of the General Allegations as though fully set forth herein.

21. At all times material hereto, Defendant ALS Boca Delray owed J.P., a six (6) year-old business invitee, a non-delegable duty to maintain the Premises in a reasonably safe condition, to correct dangerous conditions, and to warn of any dangers about which it knew or should have known through the exercise of reasonable care.

22. Defendant ALS Boca Delray, by and through its personnel, employees, and/or authorized agents, breached its duties to J.P. in the following negligent and careless manner:

- a. Created and/or allowed to exist a dangerous and hazardous condition on the Premises, namely an overly wet floor surface;
- b. Failed to take appropriate safety measures to properly maintain the floor in a safe and dry condition;
- c. Failed to inspect the Premises for dangerous or transient wet floor conditions with reasonable regularity;
- d. Failed to take appropriate safety measures to correct a wet floor condition that might foreseeably give rise to loss, injury, or damage;
- e. Failed to warn invitees, and particularly J.P., of the known or knowable dangerous wet floor condition, or in the alternative, allowing said dangerous condition to remain when a reasonable inspection would have disclosed the same;
- f. Permitted the dangerous wet floor condition to remain when Defendant knew or should have known that it posed a hazardous condition to all persons on the Premises, and particularly the minor child J.P.;
- g. Failed to adequately supervise the minor child J.P., who was six (6) years of age at the time of the incident; and
- h. Otherwise failed to exercise reasonable care under the circumstances.

23. As a direct and proximate result of Defendant ALS Boca Delray's careless and negligent conduct as aforesaid, J.P. suffered bodily injury, resulting in pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, and other losses. These losses are either permanent or continuing and J.P. will suffer the losses in the future.

24. WHEREFORE, Plaintiff, JARED PRUZAN, as Parent and Natural Guardian of J.P., a minor, demands judgment against the Defendant, AMERICAN LEARNING SYSTEMS OF BOCA DELRAY, INC., for damages in excess of Fifty Thousand Dollars (\$50,000.00), exclusive

of interest and costs, which he prays for in addition thereto, and further demands trial by jury on all issues so triable, and further relief as this Court deems just.

**COUNT III**  
**NEGLIGENCE OF AMERICAN LEARNING SYSTEMS, INC.**

25. Plaintiff, JARED PRUZAN, as Parent and Natural Guardian of J.P., a minor, re-alleges and re-avers each and every allegation set forth in paragraphs 1 through 14 of the General Allegations as though fully set forth herein.

26. At all times material hereto, Defendant ALS owned, operated, managed, and/or controlled the Premises and owed J.P., a six (6) year-old business invitee, a non-delegable duty to maintain the Premises in a reasonably safe condition, to correct dangerous conditions, and to warn of any dangers about which it knew or should have known through the exercise of reasonable care.

27. Defendant ALS, by and through its personnel, employees, and/or authorized agents, breached its duties to J.P. in the following negligent and careless manner:

- a. Created and/or allowed to exist a dangerous and hazardous condition on the Premises, namely an overly wet floor surface;
- b. Failed to take appropriate safety measures to properly maintain the floor in a safe and dry condition;
- c. Failed to inspect the Premises for dangerous or transient wet floor conditions with reasonable regularity;
- d. Failed to take appropriate safety measures to correct a wet floor condition that might foreseeably give rise to loss, injury, or damage;
- e. Failed to warn invitees, and particularly J.P., of the known or knowable dangerous wet floor condition, or in the alternative, allowing said dangerous condition to remain when a reasonable inspection would have disclosed the same;
- f. Permitted the dangerous wet floor condition to remain when Defendant knew or should have known that it posed a hazardous condition to all persons on the Premises, and particularly the minor child J.P.;
- g. Failed to adequately supervise the minor child J.P., who was six (6) years of age at the time of the incident; and
- h. Otherwise failed to exercise reasonable care under the circumstances.

28. As a direct and proximate result of Defendant ALS's careless and negligent conduct as aforesaid, J.P. suffered bodily injury, resulting in pain and suffering, disability, disfigurement,

mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, and other losses. These losses are either permanent or continuing and J.P. will suffer the losses in the future.

29. WHEREFORE, Plaintiff, JARED PRUZAN, as Parent and Natural Guardian of J.P., a minor, demands judgment against the Defendant, AMERICAN LEARNING SYSTEMS, INC., for damages in excess of Fifty Thousand Dollars (\$50,000.00), exclusive of interest and costs, which he prays for in addition thereto, and further demands trial by jury on all issues so triable, and further relief as this Court deems just.

**DEMAND FOR JURY TRIAL**

The Plaintiff in the above styled cause hereby demands a trial by jury of all of the issues triable by right.

Respectfully Submitted,

**COWEN EDWARDS, PLLC**

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