

IN THE CIRCUIT COURT OF THE 9TH
JUDICIAL CIRCUIT, IN AND FOR
ORANGE COUNTY, FLORIDA

JOSHUA DE LA CRUZ,

CASE NO:

Plaintiff,

vs.

UNIVERSAL CITY DEVELOPMENT
PARTNERS, Ltd. d/b/a VOLCANO BAY

Defendant.

COMPLAINT

Plaintiff, JOSHUA DE LA CRUZ, sues Defendant, and alleges:

1. This is an action for damages that exceed \$50,000,000.00 (fifty million dollars in damages).
2. At all times material hereto, Plaintiff, JOSHUA DE LA CRUZ, were and are residents of Massachusetts, and are otherwise sui juris.
3. At all times material hereto, Defendant, UNIVERSAL CITY DEVELOPMENT PARTNERS, Ltd. d/b/a VOLCANO BAY, is a foreign Limited Liability Company licensed to and doing business in Orange County, State of Florida.
4. At all times material hereto, Defendant, UNIVERSAL CITY DEVELOPMENT PARTNERS, Ltd. d/b/a VOLCANO BAY, controlled, maintained, and/or operated the property located at 6000 Universal Boulevard, Orlando, Orange County, FL commonly known as Volcano Bay (hereinafter referred to as the SUBJECT PREMESIS) at the time of the incident.
5. This is a premises liability action arising from an accident at the SUBJECT PREMISES, located in Orange County, Fl making venue proper in this court.

De la Cruz, Joshua vs. Volcano Bay, et al.
Case No.:
Complaint

6. On or about July 11th, 2025, Plaintiff, JOSHUA DE LA CRUZ, was lawfully on the SUBJECT PREMISES as a business invitee.

7. On or about July 11th, 2025, Plaintiff, JOSHUA DE LA CRUZ, rode the Ko'Okiri Body Plunge ride. When he reached the bottom of the ride, he asked the lifeguard where the nearest restroom was. The lifeguard directed him to the nearest restroom.

8. When Mr. De La Cruz entered the restroom, encountered the dangerous and hazardous condition of excessive water on the floor, causing the plaintiff to slip and fall.

9. Plaintiff does not currently have specific knowledge of each or any substance other than water on the bridge surface which contributed to the unduly slippery condition. Discovery may reveal other substances such as sunscreen, oils, sand, beverages, or other materials which contributed to the slippery condition.

10. Plaintiff hit his head, was knocked unconscious, and woke up in a pool of his blood.

11. Plaintiff was taken via ambulance to the emergency room where he was diagnosed with a significant brain bleed.

COUNT I
NEGLIGENCE AGAINST
UNIVERSAL CITY DEVELOPMENT PARTNERS, Ltd. d/b/a VOLCANO BAY

12. Plaintiff adopts and re-alleges paragraphs 1 through 11 as if fully set forth herein and further alleges:

13. The condition of the aforementioned floor at the subject bathroom at the time and place of the incident was unexpected and unknown to Plaintiff.

14. A reasonably prudent venue would not have bathroom floor that could pose a danger to its invitees.

15. Upon information and belief, the wet floor had existed for a sufficient length of time and prior falls have occurred there so that Defendant knew or should have known that there was a dangerous condition in that area.

16. At all times material hereto, Defendant, UNIVERSAL CITY DEVELOPMENT PARTNERS, Ltd. d/b/a VOLCANO BAY, owed a duty to JOSHUA DE LA CRUZ, and other invitees, to provide a safe and non-slippery floor as well as maintain its premises and common areas in a reasonably safe condition for use by its invitees.

17. Defendant, UNIVERSAL CITY DEVELOPMENT PARTNERS, Ltd. d/b/a VOLCANO BAY, breached its duties of care to invitees, such as JOSHUA DE LA CRUZ, by:

- a. Negligently failing to provide safe and non-slippery bathroom floor;
- b. Negligently failing to allow a wet substance to remain on the floor of the bathroom;
- c. Negligently failing to mark the hazard of a slippery floor;
- d. Negligently failing to dry a wet bathroom floor;
- e. Negligently creating a dangerous condition on the bathroom floor;
- f. Failing to identify and correct a dangerous condition, to wit: a wet slippery floor;
- g. Negligently failing to warn JOSHUA DE LA CRUZ of the hazard of a slippery wet floor;

h. Failing to have and/or implement safety policies and procedures for identifying slipping hazards in the rest rooms.

18. As a direct and proximate result of the above-referenced negligence, Plaintiff, JOSHUA DE LA CRUZ, suffered bodily injury with resulting pain and suffering, disability, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment in the past and in the future, loss of earnings, loss of ability to earn money, and aggravation of a previously existing condition. The losses are either permanent or continuing and plaintiff will suffer the losses in the future.

WHEREFORE, Plaintiff, JOSHUA DE LA CRUZ demands judgment against the Defendant, UNIVERSAL CITY DEVELOPMENT PARTNERS, Ltd. d/b/a VOLCANO BAY., for those damages and all other damages allowable by law in excess of Fifty Million Dollars, (\$50,000,000.00), plus costs, post-judgment interest and further demands a trial by jury on all issues so triable.

DATED this 24th day of September, 2025.



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