

**IN THE CIRCUIT COURT OF THE NINTH CIRCUIT JUDICIAL CIRCUIT,
IN AND FOR ORANGE COUNTY, FLORIDA**

LORI HEATHERTON,

CASE NO.:

Plaintiff,

-vs-

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

Defendant.

_____ /

COMPLAINT

COMES NOW, Plaintiff, **LORI HEATHERTON**, (hereinafter referred to as “Plaintiff”), and sues Defendant, **UNIVERSAL CITY DEVELOPMENT PARTNERS, LTD. D/B/A UNIVERSAL VOLCANO BAY**, (hereinafter referred to as “**VOLCANO BAY**”), and alleges:

GENERAL ALLEGATIONS

1. This is an action for damages that exceeds the sum of FIFTY THOUSAND DOLLARS (\$50,000.00), exclusive of costs, interest and attorneys’ fees. The actual value of Plaintiff’s claim will be determined by a fair and just jury in accordance with Article 1, Section 21, Fla. Const.

2. At all times material hereto, Defendant, **VOLCANO BAY**, was and is a Florida Limited Partnership, licensed to do business in the State of Florida, located at 6000 Universal Blvd, Orlando, Orange County, FL 32819.

3. That at all times material hereto, Plaintiff, **LORI HEATHERTON**, was and is a resident of Orange County, Florida.

4. That at all times material hereto, the Defendant, **VOLCANO BAY**, owned and/or operated and controlled the property located at 6000 Universal Blvd, Orlando, Orange County, FL 32819, commonly known as Universal Volcano Bay, over which it exercised dominion and control.

5. That on May 29, 2025, the Plaintiff, **LORI HEATHERTON**, was lawfully on the above-described premises owned, operated, and controlled by the Defendants, as a business invitee.

6. That at the aforesaid time and place, the Plaintiff, **LORI HEATHERTON**, sustained serious bodily injuries when she suddenly and without warning tripped and fell due to her foot being caught in netting blocking the walkway to a waterslide at the Premises.

**COUNT I- PREMISES LIABILITY AGAINST DEFENDANT,
UNIVERSAL CITY DEVELOPMENT PARTNERS, LTD. d/b/a UNIVERSAL VOLCANO
BAY**

7. Plaintiff realleges and incorporates herein by reference paragraphs 1 through 6 above and further states:

8. At said time and place, Plaintiff was lawfully upon Defendant's premises as a business invitee.

9. Defendant owed Plaintiff a non-delegable duty to (1) maintain the premises in a reasonably safe condition; and (2) warn of any dangerous conditions about which it knew or should have known about. See Florida Dept. of Natural Resources v. Garcia, 753 So. 2d 72 (Fla. 2000).

10. Defendant, breached its non-delegable duty owed to Plaintiff by (1) negligently failing to maintain the premises in a reasonably safe condition by negligently failing to correct a dangerous condition about which said Defendant either knew or should have known, by the use of reasonable care, and (2) negligently failing to warn the Plaintiff of a dangerous condition about

which said Defendant had, or should have had knowledge greater than that of the Plaintiff. See Fla. Std. Jury Instr. (Civ.) 401.20(a).

11. As a direct and proximate result of Defendant's negligence, Plaintiff suffered:
 - a) Bodily and terminal injury including a permanent injury to her body as a whole.
 - b) Pain and suffering of both a physical and mental nature.
 - c) Disability, physical impairment, disfigurement, mental anguish, inconvenience.
 - d) Loss of capacity for the enjoyment of life.
 - e) Aggravation of an existing condition.
 - f) Expense of hospitalization, medical and nursing care and treatment.
 - g) Past lost wages, loss of earning power, diminished earning capacity.
 - h) Loss of ability to lead and enjoy a normal life.
 - i) Losses are permanent or continuing and Plaintiff will suffer in the future.

WHEREFORE Plaintiff, **LORI HEATHERTON**, sues the Defendant, **UNIVERSAL CITY DEVELOPMENT PARTNERS, LTD. d/b/a UNIVERSAL VOLCANO BAY**, for damages and demands judgment in excess of Fifty Thousand Dollars (\$50,000), plus interest and costs, and for any other relief this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff, **LORI HEATHERTON**, demands trial by jury of all issues so triable.

[Certificate of Service on Following Page]

CERTIFICATE OF SERVICE

In accordance with Fla. R. Gen. Prac. & Jud. Admin. 2.516(b)(1) and § 48.031(1)(a), Fla. Stat., we certify that a true copy of the foregoing has been filed via the Florida Courts E-Filing Portal today, which will send a Notice of Electronic Filing to all parties of record listed and will be furnished by Hand Delivery by an approved process server.

/s/ Fay O. Pappas, Esquire
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