

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

CASE NO.:

CHRISTINA BALKIS,

Plaintiff,

v.

TAVISTOCK RESTAURANTS  
UPSCALE GROUP HOLDINGS, LLC  
d/b/a Abe & Louie's,

Defendant.

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

COMES NOW, Plaintiff, CHRISTINA BALKIS ("Plaintiff"), by and through her undersigned counsel, and hereby sues Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, 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, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, was a Florida Limited Liability Company 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, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, 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, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, owned, possessed, controlled, operated, managed, and/or maintained the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431.

6. On or about October 13, 2023, Plaintiff was lawfully on the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431.

7. On or about October 13, 2023, Plaintiff, CHRISTINA BALKIS, was on Defendant's, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's premises, when Plaintiff slipped and fell on potatoes that were on the floor, causing the Plaintiff to sustain various damages.

8. At all times material to this action, Plaintiff was not prohibited from entering and/or being on the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431.

9. At all times material to this action, Plaintiff did not remain on the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, for an unreasonable amount of time.

10. All conditions precedent to the filing and/or maintenance of this action against Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, have been performed, occurred, excused, and/or waived.

11. Venue is proper in PALM BEACH County, Florida.

12. Jurisdiction is proper in PALM BEACH County Circuit Court.

**COUNT I**

**NEGLIGENCE CLAIM AGAINST DEFENDANT,**  
**TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC**  
**d/b/a Abe & Louie's**

13. Plaintiff hereby adopts and realleges paragraphs one through twelve (1-12) above, as though fully set forth and incorporated herein.

14. At all times material to this action, Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, 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 2200 Glades Rd, Boca Raton, FL 33431, in a reasonably safe condition.

15. At all times material to this action, Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, owed a duty of care and a non-delegable duty of care to the Plaintiff, as an invitee, to correct any dangerous conditions on the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, about which Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, either knew or should have known, by the use of reasonable care.

16. At all times material to this action, Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, owed a duty of care and a non-delegable duty of care to the Plaintiff, as an invitee, to warn of any dangerous conditions on the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, about which Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, had, or should have had, knowledge greater than that of the Plaintiff.

17. At all times material to this action, Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, owed a duty of care and a non-

delegable duty of care to the Plaintiff, as an invitee, to remedy any dangerous conditions on the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, about which Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, had actual and/or constructive knowledge.

18. Notwithstanding, Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, 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 creating a dangerous condition inside the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, by carelessly placing and/or leaving potatoes on the floor, thus creating a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous;
- b. Negligently creating a dangerous condition inside the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, by carelessly failing to remove potatoes from the floor, thus creating a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous;
- c. Negligently creating a dangerous condition inside the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, by carelessly allowing potatoes to remain on the floor, thus creating a foreseeable zone of risk to

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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.

customers, including the Plaintiff, when the walkway on the subject property becomes dangerous;

- d. Negligently failing to devise any policies and procedures or adequate policies and procedures for purposes of identifying any dangerous conditions inside the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, including, but not limited to, in relation to store merchandise being placed and/or left on the floor, including, but not limited to, potatoes, thus creating a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous;
- e. Negligently failing to implement any policies and procedures or adequate policies and procedures for purposes of identifying any dangerous conditions inside the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, including, but not limited to, in relation to store merchandise being placed and/or left on the floor, including, but not limited to, potatoes, thus creating a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous;
- f. Negligently failing to train its employees or adequately train its employees for purposes of identifying any dangerous conditions inside the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, including, but not limited to, in relation to store merchandise being placed and/or left on the floor, including, but not limited to, potatoes, thus creating a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous;

- g. Negligently failing to inspect or adequately inspect the inside of the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, for purposes of evaluating and assessing whether store merchandise placed and/or left on the floor creates a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous;
- h. Negligently failing to maintain or adequately maintain the inside of the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, in a reasonably safe condition by carelessly placing and/or leaving potatoes on the floor, thus creating a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous;
- i. Negligently failing to maintain or adequately maintain the inside of the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, in a reasonably safe condition by carelessly failing to remove potatoes from the floor, thus creating a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous;
- j. Negligently failing to maintain or adequately maintain the inside of the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, in a reasonably safe condition by carelessly allowing potatoes to remain on the floor, thus creating a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous;
- k. Negligently failing to maintain or adequately maintain the inside of the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, in a reasonably safe condition by not placing any signage and/or cones

indicating there is store merchandise on the floor, thus creating a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous;

- l. Negligently failing to correct the dangerous condition(s) inside the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, by not carelessly placing and/or leaving potatoes on the floor, about which Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, either knew or should have known, by the use of reasonable care, thus creating a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous;
- m. Negligently failing to correct the dangerous condition(s) inside the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, by carelessly failing to remove potatoes from the floor, about which Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, either knew or should have known, by the use of reasonable care, thus creating a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous;
- n. Negligently failing to correct the dangerous condition(s) inside the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, by carelessly allowing potatoes to remain on the floor inside said premises, thus creating a foreseeable zone of risk to customers, about which Defendant,

TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, either knew or should have known, by the use of reasonable care, thus creating a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous;

- o. Negligently failing to warn the Plaintiff of store merchandise on the floor inside the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, about which Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, had, or should have had, knowledge greater than that of the Plaintiff, thus creating a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous; and
- p. Negligently failing to warn the Plaintiff of store merchandise on the floor inside the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, by not placing any signage and/or cones warning of such danger, about which Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, had, or should have had, knowledge greater than that of the Plaintiff, thus creating a foreseeable zone of risk to customers, including the Plaintiff, when the walkway on the subject property becomes dangerous.

19. As a result, while the Plaintiff was lawfully on the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, on or about October 13, 2023, she tripped and fell on potatoes that were carelessly placed and/or left on the floor inside said premises.

20. The dangerous condition(s) on the floor inside the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, were created by Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, its agents, servants, and/or employees, and/or known to Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, its agents, servants, and/or employees, and/or existed for a sufficient length of time that in the exercise of ordinary care, Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, its agents, servants, and/or employees, should have known of the dangerous condition(s), and/or the dangerous condition(s) occur with regularity and was therefore foreseeable, and thus, Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, 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 customers, including the Plaintiff, when the walkway on the subject property becomes dangerous.

21. The dangerous condition(s) associated with the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, were neither open nor obvious.

22. As a direct and proximate result of Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's failure to maintain the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, in a reasonably safe condition, or in other words, due to Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about her 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.

23. As a direct and proximate result of Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's failure to correct any dangerous condition(s) on the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, about which Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, either knew or should have known, by the use of reasonable care, or in other words, due to Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about her 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.

24. As a direct and proximate result of Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's failure to warn the Plaintiff of any dangerous condition(s) on the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431,

about which Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, had, or should have had, knowledge greater than that of the Plaintiff, or in other words, due to Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about her 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.

25. As a direct and proximate result of Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's failure to take action to remedy any dangerous condition(s) on the subject premises located at 2200 Glades Rd, Boca Raton, FL 33431, about which Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, had actual knowledge and/or constructive knowledge, or in other words, due to Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's negligence and/or breach of its non-delegable duty of care, Plaintiff suffered injury(ies) in and about her 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, CHRISTINA BALKIS, demands judgment for all damages against Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, in excess of Fifty Thousand Dollars (\$50,000.00), as well as taxable costs, expert fees, and for any and all further relief this Honorable Court deems just and proper under the circumstances.

**DEMAND FOR JURY TRIAL**

Plaintiff, CHRISTINA BALKIS, hereby demands trial by jury of all issues so triable as a matter of right.

WHEREFORE, Plaintiff, CHRISTINA BALKIS, demands judgment for all damages against Defendant, TAVISTOCK RESTAURANTS UPSCALE GROUP HOLDINGS, LLC d/b/a Abe & Louie's, in excess of Fifty Thousand Dollars (\$50,000.00), as well as taxable costs, expert fees, and for any and all further relief this Honorable Court deems just and proper under the circumstances.

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RESPECTFULLY submitted June 24, 2025.

**THE INJURY FIRM**

/s/ Peter Magnani

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