

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

CASE NO.

JACE P. KORETZ,

Plaintiff,

v.

BOCA RATON BATH & TENNIS CLUB, INC.

a Florida Not for Profit Corporation

And KENNETH HINE, individually.

Defendants.

COMPLAINT FOR DAMAGES

COMES NOW the Plaintiff, JACE P. KORETZ, (herein after "KORETZ") by and through his undersigned counsel, and files suit against the Defendant, BOCA RATON BATH & TENNIS CLUB, INC., A Florida not for profit corporation (herein after "BOCA RATON") and KENNETH HINE, an Individual, and in support thereof states as follows:

1. This is an action for damages that exceeds the jurisdictional minimum amount of Fifty Thousand Dollars (\$50,000.00), fees and costs.

2. At all times material hereto, Plaintiff, KORETZ, resides in Palm Beach County Florida, is over 18 years in age, and is otherwise *sui juris*.

3. At all times material hereto, Defendant, BOCA RATON was and is a nonprofit organization, authorized to conduct business at 2801 N Military Trail, Boca Raton, FL 33431, Palm Beach County, Florida.

4. Defendant, KENNETH HINE (herein after "HINE"), the Tennis Pro trainer for said Boca Raton Bath & Tennis Club, Inc., is *sui juris*, and a resident of Palm Beach County, Florida.

5. All of the events giving rise to this action occurred in Palm Beach County, Florida, and Defendant, BOCA RATON, owns and operates the place of business where the incident occurred in Palm Beach County, as such, venue is proper in Palm Beach County.

GENERAL ALLEGATIONS

Plaintiff re-alleges and reavers paragraphs one (1) through five (5) as through fully set forth herein and would further state:

6. On or about January 30, 2024, the Plaintiff, KORETZ, was a business invitee at the BOCA RATION BATH & TENNIS CLUB located at 2801 N Military Trail, Boca Raton, FL 33431, Palm Beach County, Florida.

7. That on or about January 30, 2024, the Plaintiff, KORETZ, was caused to slip and/or trip and fall due to Defendants negligence for failing to maintain the tennis court in a reasonably safe condition.

8. As a result of the Plaintiff's fall, Plaintiff suffered severe and permanent injuries.

COUNT I - NEGLIGENCE OF BOCA RATON BATH & TENNIS CLUB, INC.

Plaintiff re-alleges and reavers paragraphs one (1) through eight (8) as if fully set forth herein and would further state:

9. On or about January 30, 2024, the Plaintiff, KORETZ, was a business invitee upon the Defendant, BOCA RATON's premises located at 2801 N Military Trail, Boca Raton, FL 33431, Palm Beach County, Florida.

10. At all times material hereto, Defendant, BOCA RATON, owed a duty of reasonable care to its business patrons, by exercising a reasonable care to protect its invitees from dangerous and defective conditions that could injure them.

11. The Defendant, BOCA RATON, breached the duty of care by failing to ensure that the area and floor of the business was free and clear of any hazards.

12. The Plaintiff, KORETZ slipped and fell over the lines on the clay tennis court that were not properly maintained outside of the Defendant's owned clubhouse, Boca Raton, on the side of the pickleball courts, between the baseline and service line. The Defendant, BOCA RATON, was negligent and breached the duty owed to the Plaintiff, KORETZ, in one or more of the following ways:

- a. Creating and maintaining a dangerous and hazardous condition;
- b. Failing to correct and rectify a dangerous condition that existed on their premises;
- c. Failing to take reasonable measures to prevent the dangerous condition;
- d. Failing to maintain their premises in a safe and reasonable manner for those persons lawfully upon the Defendant's premises; and
- e. Failing to warn the Plaintiff of a known dangerous and hazardous condition on and around their premises.

13. As a direct and proximate result of the aforesaid negligence of the Defendant, BOCA RATON, the Plaintiff, KORETZ, was severely, significantly and permanently injured within a reasonable degree of medical probability, and had been permanently and significantly scarred and/or disfigured; has incurred a significant and permanent loss of bodily functions; and/or has sustained a significant and permanent aggravation of a pre-existing injury. As a further direct and proximate result of said Defendant's negligence, the Plaintiff suffered extreme pain and suffering, disability, physical impairment, mental anguish, inconvenience, and loss of capacity for the enjoyment of life, and will so suffer in the future. The Plaintiff has in the past and will in the future suffer lost wages and lost earning capacity. The Plaintiff has in the past and will in the future be obligated to pay large sums of money for doctors' bills, hospital bills and other directly and indirectly related expenses in an effort to alleviate his suffering and cure his injuries. The Plaintiff has in the past and will in the future be unable to lead and enjoy a normal life as the result

of the injuries. All of the Plaintiff's losses are either permanent or continuing in nature and the Plaintiff will suffer these losses in the future.

WHEREFORE, the Plaintiff, KORETZ, respectfully demands that this Court enter a Judgment against the Defendant, BOCA RATON, for damages, including but not limited to actual, and other damages as and if permitted by law, costs and further demands trial by Jury on all issues so triable as a matter or right.

COUNT II-NEGLIGENCE AGAINST KENNETH HINE

Plaintiff re-alleges and reavers paragraphs one (1) through eight (8) as if fully set forth herein and would further state:

14. On or about January 30, 2024, the Plaintiff, KORETZ, was a business invitee upon the premises which is owned, controlled, and maintained by Defendant, BOCA RATON.

15. At all times material hereto, Defendant HINE was an employee of the Defendant Boca Raton Bath & Tennis Club, Inc. and therefore owed a duty of reasonable care to its business invitees, to exercising reasonable care to protect its invitees from dangerous and defective conditions that could injure them.

16. The Defendant, HINE, breached the duty of care by failing to ensure that the area and floor of the business was free and clear of any hazards.

17. The Plaintiff, KORETZ slipped and fell over the lines on the clay tennis court that were not properly maintained outside of the Defendant's owned clubhouse, Boca Raton, on the side of the pickleball courts, between the baseline and service line. The Defendant, HINE, was negligent and breached the duty owed to the Plaintiff, KORETZ, in one or more of the following ways:

- a. Creating and maintaining a hazardous risk and/or dangerous condition;
- b. Failing to warn the Plaintiff of the hazardous risk and/or dangerous condition in and around the respective area;

- c. Failing to correct and rectify a hazardous risk and/or dangerous condition that existed on the premises;
- d. Failing to take reasonable measures to prevent the hazardous risk and/or dangerous condition;
- e. Failing to maintain the premises in a safe and reasonable manner for those persons lawfully upon the premises;
- f. Failing to provide adequate lighting for the subject premises;
 - a. Failing to timely and adequately warn the Plaintiff of the hazardous risk and/or dangerous condition that existed on and around the premises.

17. As a direct and proximate result of the negligence of Defendant, HINE, the Plaintiff, KORETZ, was severely, significantly and permanently injured within a reasonable degree of medical probability, and has been permanently and significantly scarred and disfigured; has incurred a significant and permanent loss of bodily functions; and/or has sustained a significant and permanent aggravation of a pre-existing injury. As a further direct and proximate result of said Defendant's negligence, the Plaintiff suffered extreme pain and suffering, disability, physical impairment, mental anguish, inconvenience, and loss of capacity for the enjoyment of life, and will so suffer in the future. The Plaintiff has in the past and will in the future be obligated to pay large sums of money for doctor bills, hospital bills and other directly and indirectly related expenses in an effort to alleviate his suffering and cure her injuries. The Plaintiff has in the past and will in the future be unable to lead and enjoy a normal life as the result of the injuries. All of the Plaintiff's losses are either permanent or continuing in nature and the Plaintiff will suffer these losses in the future.

WHEREFORE, the Plaintiff, KORETZ, respectfully demands that this Court enter a judgment against the Defendant, KENNETH HINE, for damages, including but not limited to actual and other damages as and if permitted by law, costs and further demand trial by jury on all issues so triable as a matter or right.

DATED this 22th day of September, 2025.

GINNIS, KRATHEN & ZELNICK PA
Counsel for Plaintiff
500 East Broward Blvd, Suite 1850
Fort Lauderdale, FL 33394
Telephone: (954) 905-4600 Main
Fax: (954) 905-4605

/s/ H Ross Zelnick

H ROSS ZELNICK
Florida Bar Number: 58043
hz@gkzlegal.com
Pleadings@GKZlegal.com
WILLIAM VOLET, ESQ.
Florida Bar: 110645
WV@gkzlegal.com
ap@gkzlegal.com

NOT A CERTIFIED COPY