

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

RONALD TOMPKINS, JR.,

CASE NO.: _____

Plaintiff,

v.

WEST BOCA MEDICAL
CENTER, INC., a Florida
Profit Corporation,

Defendant.
_____ /

COMPLAINT FOR DAMAGES AND TRIAL BY JURY

COMES NOW the Plaintiff RONALD TOMPKINS, JR., by and through the undersigned counsel and hereby files this Complaint for Damages and Trial By Jury against the Defendants WEST BOCA MEDICAL CENTER, INC., and as grounds therefore would state:

1. This is an action for damages which exceed Fifty Thousand Dollars (\$50,000.00), exclusive of interest and costs.
2. At all times material hereto, the Plaintiff RONALD TOMPKINS, JR. was and is a resident of Palm Beach County, Florida, and is otherwise sui juris.
3. At all times material hereto, the Defendant WEST BOCA MEDICAL CENTER, INC. was and is a Florida Profit Corporation, licensed to do, and present doing, business in Palm Beach County, Florida.
4. At all times material hereto, the Defendant WEST BOCA MEDICAL CENTER, INC. owned, operated, and/or maintained control over the premises located at 21644 S. State Road 7, Boca Raton, Florida 33428 (unincorporated Palm Beach County), and operated the said

premises as a full-service hospital/medical treatment facility known as 'West Boca Medical Center.'

5. On or about September 28, 2023, the Plaintiff RONALD TOMPKINS, JR. was lawfully upon the aforementioned premises as a guest/invitee visiting his father, Ronald Tompkins, Sr., who was an inpatient at 'West Boca Medical Center.'

6. On or about September 28, 2023, the Plaintiff RONALD TOMPKINS, JR. was in his father's room at 'West Boca Medical Center' when a food service employee at the hospital delivered a tray which contained food and drink to the bedside of the Plaintiff's father.

7. The food service employee announced that the drink was 'bouillon.'

8. At said time and place, the Plaintiff RONALD TOMPKINS, JR., his father, and his father's doctor were in the room; the Plaintiff RONALD TOMPKINS, JR., in an effort to check to temperature of the 'bouillon' before serving it to his father, tested and took a sip of the liquid. He immediately realized that it was not 'bouillon' but that it was urine.

9. The Plaintiff RONALD TOMPKINS, JR. spit out the urine and was both shocked and sickened.

10. No explanation for why a cup of urine was present or placed on the inpatient Ronald Tompkins, Sr.'s food tray was given; the urine was not that of Ronald Tompkins, Sr.

11. The Defendant WEST BOCA MEDICAL CENTER, INC. is responsible for the negligence of its employees.

12. The Defendant WEST BOCA MEDICAL CENTER, INC. was negligent by way of allowing its employees to handle both food service delivery and urine/bodily fluids.

13. The actions of the Defendant WEST BOCA MEDICAL CENTER, INC.'s employees/agents constitute gross negligence, which upon proper evidentiary proffer may support a claim for punitive damages.

14. As a direct and proximate result of the negligence of the Defendant WEST BOCA MEDICAL CENTER, INC., the Plaintiff RONALD TOMPKINS, JR. suffered bodily injury and resulting pain and suffering, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, and other economic damages. The Plaintiff RONALD TOMPKINS, JR. will further suffer from conditions not yet diagnosed. The losses are either permanent or continuing and the Plaintiff will continue to suffer losses in the future.

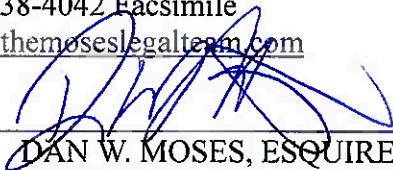
15. The Plaintiff RONALD TOMPKINS, JR. further suffered emotional distress and mental anguish as a result of the negligence of the Defendant.

16. In that the injuries suffered by the Plaintiff RONALD TOMPKINS, JR. are continuing in nature, he will continue to suffer the losses in the future and will be further compelled to expend great sums for medical care and related treatment for those injuries.

WHEREFORE the Plaintiff RONALD TOMPKINS, JR. demands judgment for damages against the Defendant WEST BOCA MEDICAL CENTER, INC. together with costs and demands trial by jury of all issues triable as of right by jury.

DATED March 12, 2024.

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