

RETURN: JANUARY 31, 2017 : SUPERIOR COURT
KENNETH FALK : JUDICIAL DISTRICT OF LITCHFIELD
V. : AT LITCHFIELD
CANDLEWOOD VALLEY COUNTRY :
CLUB, INC., ET AL : DECEMBER 14, 2016

COMPLAINT

FIRST COUNT: (KENNETH FALK v. CANDLEWOOD VALLEY COUNTRY CLUB, INC.)

1. On or about September 24, 2015, and for a time prior thereto, the defendant, **CANDLEWOOD VALLEY COUNTRY CLUB, INC.** (hereinafter **CVCC**), possessed, controlled and/or operated a public golf course located at 401 Federal Road, New Milford, Connecticut.

2. On the afternoon of September 24, 2015, the plaintiff, **KENNETH FALK**, was a patron of the defendant **CVCC** and was golfing with a friend.

3. The plaintiff, **KENNETH FALK**, drove a shot that went off the fairway and into the rough.

4. The ball was in plain view atop some leaves and the plaintiff, **KENNETH FALK**, went to retrieve it.

5. As the plaintiff, **KENNETH FALK**, approached the golf ball, he suddenly and without warning, began to sink into the ground, and went all the way up to his chest, suffering injuries set forth below.

6. The plaintiff, **KENNETH FALK**, had to be rescued and pulled to safety by other golfers.

7. The defendant, **CVCC**, was negligent in one or more of the following ways, and said negligence caused the plaintiff, **KENNETH FALK'S** injuries, in that its agent, servants and/or employees:

(a) failed to warn the plaintiff of the presence of said quicksand conditions on the fairway, either verbally or with posted signs, when they knew, or should have known, of the presence of said conditions;

(b) failed to inspect the area adjoining the fairway when they knew, or should have known, said quicksand conditions can arise on a golf course;

(c) failed to maintain the area adjoining the fairway and caused and/or permitted the quicksand conditions to arise;

(d) failed to discover said quicksand conditions;

(e) created the quicksand conditions by the manner in which it graded the landscape surrounding the golf course;

(f) failed to cordon off the area when it knew, or should have known, there were quicksand conditions adjacent to the fairway.

8. As a direct and proximate result of the aforescribed negligence and/or carelessness of the defendant, **CVCC**, the plaintiff, **KENNETH FALK**, suffered injuries, some, or all of which, may be permanent in nature, including the following:

- (a) left knee pain;
- (b) left knee MCL sprain;
- (c) difficulty walking;
- (d) difficulty standing;
- (e) difficulty ascending/descending stairs;
- (f) gait change;
- (g) left knee effusion;
- (h) left knee swelling;
- (i) fear for his life;
- (j) suffering, both physical and mental.

9. As a further direct and proximate result of the aforescribed negligence and/or carelessness of the defendant, **CVCC**, the plaintiff, **KENNETH FALK**, was forced to expend money for medical care and treatment and may, in the future, be forced to expend additional money for further treatment.

10. As a further direct and proximate result of the aforescribed negligence and/or carelessness of the defendant, **CVCC**, the plaintiff, **KENNETH FALK**, has been greatly impaired in his ability to pursue, participate in and enjoy his life's usual activities.

WHEREFORE, the plaintiff claims:

- (a) Money damages;

The Plaintiff,

By 

James K. Smith
VenturaLaw
235 Main Street
Danbury, Connecticut 06810
203-800-8000 / Juris 414924

TO THE CLERK OF THE COURT:

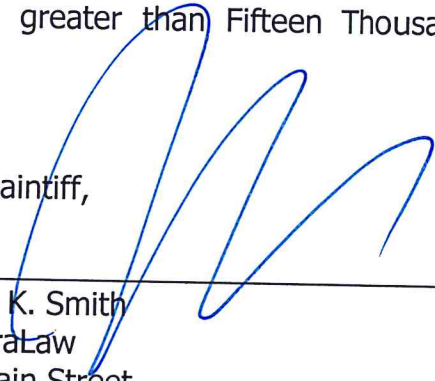
Please enter our appearance
on behalf of the Plaintiff:
VenturaLaw

RETURN: JANUARY 31, 2017 : SUPERIOR COURT
KENNETH FALK : JUDICIAL DISTRICT OF LITCHFIELD
V. : AT LITCHFIELD
CANDLEWOOD VALLEY COUNTRY :
CLUB, INC., ET AL : DECEMBER 14, 2016

STATEMENT OF AMOUNT IN DEMAND

The amount of money damages claimed is greater than Fifteen Thousand Dollars (\$15,000.00), exclusive of interest and costs.

The Plaintiff,

By 
James K. Smith
VenturaLaw
235 Main Street
Danbury, Connecticut 06810
203-800-8000 / Juris 414924