

Favorable Verdict in Slip & Fall Case

fax:

A favorable verdict was obtained by Molly Glover and Nicole Grida on May 27, 2010, following a two week trial involving a Plaintiff with multiple sclerosis who slipped and fell in a restaurant fracturing her hip. Plaintiff, a nurse who had been diagnosed with MS in 1998, alleged that a floor mat in a self-service drink area was unnecessary and was too large for the space . Five non-medical experts testified regarding restaurant design/floor mat safety. The Plaintiff, who was permanently wheel chair ridden at the time of trial due to MS and allegedly the hip fracture, asked for \$5M plus punitive damages in her Complaint which was reduced to \$1M at the time of closing argument. The jury assessed 45% of the fault to Plaintiff and 55% to the owner of the restaurant. The jury found the total damages were \$170,000 for Plaintiff and \$0 on her husband's loss of consortium claim. Based on the apportionment of fault, the total owed to Plaintiff was \$93,500 which was 1.5 times Plaintiff's medical bills and less than the offer made prior to trial. In addition, Ms. Glover and Miss Grida were successful in persuading the court the jury should not be instructed on punitive damages.

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