

Premises Liability – Supermarket

SERVICES

Premises Liability

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Timothy R. Scannell

July 22, 2019

Timothy R. Scannell and Jay W. Fazzino obtained a defense verdict following a jury trial in the Judicial District of Hartford of the Connecticut Superior Court. The Plaintiff claimed to have fallen on a spilled container of yogurt while shopping in a large northeastern supermarket. The Plaintiff claimed injuries to her back and lower extremities as a result of her alleged slip and fall accident.

At trial, the Defense focused on issues of causation regarding the subject accident, and further presented video surveillance obtained by the supermarket to question the legitimacy of the Plaintiff's slip and fall accident. The Defense also undermined the credibility of the Plaintiff during a vigorous cross-examination when it elicited testimony from the Plaintiff concerning additional lawsuits commenced both before and after the events of the subject incident. Evidence of comparative negligence was also established when the Plaintiff admitted to being on her cell phone in the moments preceding her accident.

Despite the fact that the jury ultimately found the Defendant's conduct negligent, it entered a verdict in the Defendant's favor on the basis that its negligence was not a substantial factor in causing any of the damages claimed by the Plaintiff. In large part, the contradictions in the Plaintiff's testimony and her corresponding medical records substantiated the Defense's theory that she did not suffer any injury as a result of the accident.