

Premises Liability – Supermarket

SERVICES

Premises Liability

August 27, 2018

In this premises liability case, the plaintiff brought a lawsuit against my client, a grocery store, alleging that she was struck by a dolly being pushed by a store employee. The plaintiff alleged that the employee was pushing the dolly in a crowded store and, as the employee was coming around a corner, pushed the dolly directly into the plaintiff's legs causing her to fall forward sustaining bilateral shoulder separations.

In addition to alleging the employee was negligent, plaintiff also alleged that the store was negligent to allow a dolly to be operated during peak periods of store hours due to crowded aisles. The store employee testified that, as he was pushing the dolly, the plaintiff turned suddenly and walked into the side of the dolly, causing her fall. The employee testified that it was his view that the plaintiff was not paying attention to her surroundings.

The plaintiff sustained bilateral shoulder dislocations (Hills-Sachs impaction fracture and Bankart lesion of the glenoid) resulting in surgery to each shoulder. The plaintiff's treating surgeon testified that the plaintiff's injuries resulted in a permanent disability. In addition to her significant medical bills from her surgeries and physical therapy, the plaintiff also alleged she sustained significant lost wages and future economic harm.

After deliberating for several hours, the Middlesex County jury returned a defense verdict in favor of my client.