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AUGUST 14, 2006

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SETTLEMENT RESULT: \$131,000

PREMISES LIABILITY

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SETTLEMENT—Restaurant patron alleges trip and fall over ramp exit

PREMISES LIABILITY

Slip/Trip & Fall : Floor/Carpet/Retail & Other Business Properties

No COURT/UNFILED SETTLEMENT

Frontino v. Don Ramon Restaurant. Settlement date: 7/8/1997.

SETTLEMENT RESULT: \$131,000

COUNSEL

Plaintiff: Scott J. Corwin, Law Offices of Scott J. Corwin, Los Angeles.

Defendant: None.

FACTS/CONTENTIONS

According to plaintiff: On August 31, 1996, plaintiff Frontino, a 47-year-old unemployed woman, was at the premises of defendant Don Ramon Restaurant attending a private party in the banquet room. Plaintiff tripped and fell while traversing a ramp exit from the banquet room that had a two- to three-inch rise in elevation above the floor of the banquet room, sustaining an ankle fracture.

Plaintiff alleged that the existence of a hazardous condition on the premises caused her injuries.

Defendant contended no hazard existed, the ramp was built to code, that several large potted plants had been placed along the side of the ramp to form a barrier, and that plaintiff negligently walked between the plant barrier. Defendant also contended that plaintiff did not trip on the two- to three-inch rise in the ramp, but rather fell as a result of losing her balance due to a pre-existing neurological disorder stemming from a brain injury she had received 15 years earlier. Defendant further contended that plaintiff was drunk and claimed to have several restaurant employees as witnesses to her drunkenness.

CLAIMED INJURIES

According to plaintiff: Plaintiff claimed a tibio-tarsal dislocation of the right ankle with open comminuted trimalleolar fracture, requiring open reduction and internal fixation. She made a good recovery from her injuries.

CLAIMED DAMAGES

According to plaintiff: \$35,025 past medical.

SETTLEMENT DISCUSSIONS

According to plaintiff: Defendant made an initial settlement offer of \$80,000.

EXPERTS

None.

COMMENTS

According to plaintiff: Settlement was reached before the case was filed.