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SETTLEMENT RESULT: \$125,000

PREMISES LIABILITY

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SETTLEMENT—Customer trips over debris in home and garden store parking lot

PREMISES LIABILITY

Slip/Trip & Fall/Paved Surface/Curb/Slippery Surface/
Retail & Other Business Properties

LOS ANGELES COUNTY SUPERIOR COURT

Rizzi v. Confidential, Docket number: NC042058,
Long Beach. Judge: Roy L. Paul. Trial type: Settlement.
Settlement date: 1/24/2007.

SETTLEMENT: \$125,000

COUNSEL

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

Defendant: None.

FACTS/CONTENTIONS

According to plaintiff: On February 13, 2006, plaintiff Antonette Rizzi, a 56-year-old homemaker, was a business invitee shopping at defendant home and garden store in San Pedro, when she slipped and fell on debris that had accumulated in the store parking lot. Plaintiff alleged that defendant was negligent and careless in inspecting and maintaining its parking lot premises, as defendant's business invitees were required to walk through the debris. As a direct result of said negligence, defendant's business invitees were exposed to the risks of suffering serious injuries.

Defendant contended that it was not negligent. In the alternative, if it was negligent, plaintiff had substantial comparative fault for failing to see the open and obvious debris.

CLAIMED INJURIES

According to plaintiff: Plaintiff fell on her right side, sustaining injury to her right arm, shoulder, hip, thigh, ankle, and wrist. Plaintiff underwent a physical therapy program, thereby resolving the injuries to her arm, hip, thigh, ankle, and wrist. However, plaintiff's significant injury was right shoulder traumatic acromioclavicular joint and rotator cuff. Plaintiff underwent right shoulder arthroscopic subacromial decompression and Mumford procedure on September 18, 2006. The surgery went well, and plaintiff made an excellent recovery.

CLAIMED DAMAGES

According to plaintiff: \$52,462 medical.

SETTLEMENT DISCUSSIONS

According to plaintiff: Plaintiff initially demanded \$175,000. Defendant made no offers for a period of nearly eight months. Defendant's initial offer was \$50,000.

EXPERTS

None.

COMMENTS

According to plaintiff: The complaint was filed on January 11, 2007.

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