

\$225,000 Award for a Slip and Fall at a Grocery Store

Denville, NJ

Christopher L. Musmanno, Esq., Chair of the Personal Injury Department and Certified Civil Trial Attorney with the law firm of Einhorn, Barbarito, Frost & Botwinick, PC in Denville, NJ, announces a \$225,000.00 settlement for a slip and fall.

In August 2013, plaintiff was grocery shopping in flip-flop sandals when she slipped and fell in a puddle of water a result of two cases of water which were broken and leaking onto the floor. Plaintiff did not immediately present to the hospital, but went the next day, after which she commenced a course of conservative treatment.

As a result of the accident, plaintiff sustained right paracentral disc protrusion at C3-4; broad-based right paracentral disc protrusion at C4-5; broad-based central/left paracentral disc protrusion at C5-6; broad-based paracentral disc protrusion at C6-7; left foraminal disc protrusion at C7-T1; central disc protrusion at L3-4, with moderate bilateral foraminal narrowing abutting the exiting L3 nerve roots bilaterally; disc bulge at L4-5 with bilateral foraminal narrowing abutting exiting L4 nerves bilaterally and synovial cyst adjacent to the right facet joint; and disc bulge at L5-S1 with right foraminal narrowing.

Due to the chronic nature of the plaintiff's pain and the failure to respond to conservative treatment, she ultimately underwent anterior cervical discectomy and fusion, C5-6 and C6-7; placement of interbody prosthesis, C5-6 and C6-7 with anterior spinal instrumentation and C5, C6 and C7.

The case was arbitrated in September 2016 wherein 90% responsibility was assessed to the grocery store and 10% responsibility to the plaintiff. The gross arbitration award was \$250,000 and after taking into consideration plaintiff's 10% comparative negligence, the net award in plaintiff's favor was \$225,000.