

Doris Bobadilla and John Getty Obtain Summary Judgment in Slip and Fall Case

Doris Bobadilla and John Getty successfully obtained a summary judgment in favor of their clients, a car dealership and its insurer. While in the dealership's service bay, the Plaintiff claimed she slipped and fell. The Plaintiff admitted she knew it was raining when she pulled into the service area and knew the ground was wet. In fact, she admitted seeing water dripping from other vehicles. Further, Plaintiff could not provide sufficient detail regarding her fall. The district court held that the plaintiff failed to prove her claim under Louisiana Merchant Liability Statute, La. Rev. Stat. § 9:2800.6. The court observed that the Plaintiff had to establish an unreasonably dangerous condition existed on the dealership's premises. Yet, her own testimony failed to prove any such condition existed. She was merely relying on speculation as to what caused her fall. Even then, the court observed that the dealership did not owe a duty to warn about any open and obvious conditions. Consequently, the court granted summary judgment and dismissed the Plaintiff's lawsuit against Galloway's clients.

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