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WELCOMES THE FOLLOWING NEW

MEMBERS:

Kevin T. Dunbar

Dunbar & Associates

Ellis T. Fernandez

Frenandez Trail Lawyers, PA

Tomas Mazanec

Mazanec, Raskin & Ryder Co., LPA

SAVE THE DATE!

NRRDA 2012 ANNUAL CONFERENCE

BECOME A MEMBER OF NRRDA

If you are not already a NRRDA member, here is how you can join this list of growing restaurant and retail professionals working together to reduce and manage the claims in our industry. www.nrrda.org

Billing Custodian Affidavits and Expert Testimony Constitutes

"Substantial Evidence" Sufficient to Rebut Statutory Presumption Regarding Value of Plaintiff's Medical Treatment

By Beth Boggs

Boggs, Avellino, Lach & Boggs, L.L.C

William P. Montgomery, Jr., a contract laborer, slipped and fell on a driveway located on the property of Gordon Ray Wilson, Sr. and Gordon Ray Wilson, Jr. while performing work on the Wilson's property. Montgomery was diagnosed with an injury to his cervical spine, requiring surgical intervention.

To read this article in its entirety, click here.

Jury Awards \$70,000 to Victim of Nightclub Assault

By Beth Boggs

Boggs, Avellino, Lach & Boggs, L.L.C.

Ashley Stewart was at Blonde, a nightclub in Kansas City, MO, on October 10, 2008 when she was allegedly assaulted by former Kansas City Chiefs running back, Larry Johnson. According to the suit filed in the Circuit Court for Jackson County against Johnson and Stephanie Entertainment, which owned the club, Johnson made death threats to Stewart and her boyfriend and spit in Stewart's face.

To read this article in its entirety, click here.

The 2012 NRRDA Annual Conference will be **New Case from the California Supreme Court** held in San Diego, CA at the Sheraton San Diego Hotel & Marina from Wednesday, February 22 to Friday, February 24, 2012.

By Michael L. Amaro

Prindle, Amaro, Goetz, Hillyard, Barnes & Reinholtz LLP

Registration for the Annual Conference is available on the NRRDA website:
www.NRRDA.org

The California Supreme Court, in a 6-to-1 decision, in *Howell v. Hamilton Meats & Provision* held that “an injured plaintiff whose medical expenses are paid through private insurance may recover as economic damages no more than the amounts paid by the plaintiff or his or her insurer for the medical services received or still owing at the time of trial.”

Please direct any conference related questions to the NRRDA office at 847.324.7050 or adelel@nrrda.org

To read this article in its entirety, click [here](#).

NRRDA MEMBER BENEFITS:

E-List Service

The E-List Service is a powerful, quick and easy way to ask questions or get information from your fellow members about matters of interest, such as expert witnesses, policies of a specific company, or opinions on a specific legal issue.

Join NRRDA’s forum group on LinkedIn to participate in current discussions facing the industry.
Click [HERE](#) to join.

If you are not already a NRRDA member, click [here](#) to join our growing list of retail and restaurant professionals working together to reduce the claims in our industry.

What is NRRDA?

NRRDA is an independent, non-profit, networking association of legal and claims professionals in the retail and restaurant industries. Membership in NRRDA places you at the forefront of the development of strategies to reduce the number and

A Rite of Passage or a Right to Sue?

By Peter Lind and Lindsey Woodrow

Waldeck & Lind

In *Duncanson v. Biaggi’s, Inc.*, A10-1786, defendant Twin City Outdoor Service, Inc. (“TCOS”) successfully defended the trial court’s decision to dismiss Ms. Duncanson’s negligence claim for injuries she sustained when she slipped and fell on a sidewalk outside of Biaggi’s Inc., in the middle of a Minnesota winter. The Minnesota Court of Appeals ultimately found that the three foot patch of ice upon which Ms. Duncanson fell was “open and obvious” and that TCOS did not have constructive knowledge of this particular patch of ice.

To read this article in its entirety, click [here](#).

St. Louis City Jury Awards \$200,000 for Slip and Fall. Assigns 40% Comparative Fault to Plaintiff

By Beth Boggs

Boggs, Avellino, Lach & Boggs, L.L.C.

On May 22, 2007, Martha Coe, was walking to a parking lot near Busch Stadium following a baseball game. Coe, who worked at the stadium, fell after allegedly slipping on broken asphalt in the parking lot. She claimed that the lot was insufficiently lit. Coe suffered a

severity of claims, manage common risks, and enhance our defense position in litigated matters.

broken and dislocated left ankle as a result of the incident, and later underwent surgery to the ankle.

To read this article in its entirety, [click here](#).

Submitting an Article for the Newsletter

NRRDA is dedicated to providing its members with updates of nationwide developments and trends relevant to the retail and restaurant industries. We encourage you to bring such developments to our attention by submitting a summary of or article pertaining to such developments. Please forward your proposed submissions to Beth Boggs, c/o NRRDA at adelel@nrrda.org.

6311 W. Gross Point Road~ Niles, IL ~ 60714 | p: 847.324.7050 | e: nrrda@nrrda.org | © 2009 NRRDA