

LORRAINE DORIA vs. BIMINI BOAT YARD, INC., d/b/a SEA WATCH

Docket No.: 03-013872 CACE 09; FJVR Reference No. 05:8-4

Verdict Date: **May** 5, 2005; Publication Date: **August** 2005

TOPIC: Defense Verdicts - Falldown - Restaurant - Obstruction of Walkway

RESULT: For the Defendant. (verdict)

STATE: Florida

COUNTY: Broward

JUDGE: Robert L. Andrews

PLAINTIFF PROFILE: Age: 73
Sex: Female
Occupation: Retired

PLAINTIFF ATTORNEY: Ken Frankel, Pompano Beach

DEFENDANT ATTORNEY: Jack D. **Luks of Luks, Santaniello**, et al., Ft. Lauderdale

CAUSE OF INJURY: On February 21, 2003, at 12:30 p.m., Plaintiff alleged that while she was walking from the lower parking lot of Defendant's Sea Watch Restaurant in Ft. Lauderdale toward the main entrance, her path was obstructed by a vehicle that was parked by the valet personnel employed by the restaurant. The obstruction forced Plaintiff to take an alternate route, walking on a sandy, rocky area. Plaintiff claimed that her foot sunk into the ground enough to cause her to lose her balance and fall. Plaintiff alleged that Defendant created a dangerous condition, thereby causing injury to Plaintiff. Defendant denied the allegations and contended that Plaintiff was negligent.

NATURE OF INJURY: Non-displaced fracture of right ankle.

PLAINTIFF EXPERT WITNESSES: John Riley, M.D., Orthopedic Surgery, Ft. Lauderdale