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News From Accident Lawyer John Fagan

1-844-JOHN-411

Car & Motorcycle Accidents | Dog Bite | Nursing Home Neglect | Slip & Fall | Workers' Comp



1063 Park Avenue
Orange Park, FL 32073

Telephone
(904) 215-5555

Toll-Free
1.844.JOHN.411

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I thought you might want to know:

FAULTY STEPS CAN LEAD TO LIABILITY

At Barclays Center, home of the NBA's Brooklyn Nets and the NHL's New York Islanders, steep steps are an issue - one that's already cost arena operators money.

The 19,000-seat Brooklyn, New York venue, which opened in 2012, features rows of densely packed seats set at a very steep 36-degree incline in the upper levels. But spectators have been injured by people stumbling in the narrow rows or on the steep steps and landing on them. When you consider the amount of drinking that can take place at an NBA or NHL game, falling fans can become a frequent problem.

Injuries have ensued. In one case, a fan fell on a woman, forcefully propelling her face into the railing in front of her. Multiple lawsuits have been filed against the arena, and at least one has settled out of court.

The new arena in Sacramento, California, the NBA's Kings, has similar issues. The same is true for newer baseball stadiums, like St. Louis's Busch Stadium, where a combination of steep steps and railings that are shockingly low has resulted in serious injuries to fans.

While all these venues are technically up to code, these types of injuries are still arguably foreseeable to stadium designers and operators. An hold owners accountable for injuries you suffer either in a fall or if someone falls on you.

The problem of treacherous steps goes beyond the sports world...



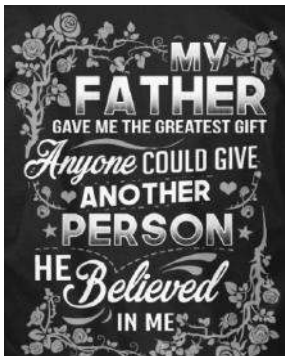
For example, in a recent Connecticut case Carlos Silva, a 51-year-old, suffered severe head injuries after falling down an apartment building stairwell that lacked a handrail. Silva spent six weeks in the hospital and was no longer able to work as a result of cognitive and behavior problems stemming from his injuries.

Silva took the owners of the apartment building to court, and even though he was apparently intoxicated at the time of the incident, a jury found the owners to be primarily at fault and awarded him a substantial sum of money.

Similarly, Aminata Kromah, a 36-year-old living in New York City, shattered her legs and ankle in 2013 when she fell down a set of crumbling steps in a Bronx apartment building that was nearly a century old.

At trial, the building superintendent and property owners admitted they knew there was a pattern of steps cracking but waited until a particular step cracked off before replacing it. Kromah also presented evidence that five of the 11 steps had been replaced within six months of the accident and that for only \$600 the owners could have replaced all the steps, preventing her accident from occurring.

The jury returned a huge verdict for Kromah, although that's small consolation, given that she's suffered through multiple surgeries, can never work again and still faces years of physical therapy.



Four men are in the hospital waiting room because their wives are having babies.

A nurse goes up to the first guy and says, "Congratulations! You're the father of twins."

"That's odd," answers the man. "I work for the Minnesota Twins!"

A nurse says to the second guy, "Congratulations! You're the father of triplets!"

"That's weird," answers the second man. "I work for the 3M company!"

A nurse tells the third man, "Congratulations! You're the father of quadruplets!"

"That's strange," he answers. "I work for the Four Seasons hotel!"

The last man has fainted...when he comes to, he starts banging his head against the wall. "What's wrong?" the others ask.

"I work for 7 Up!"

Happy Father's Day

Is An Employer Responsible For An Employee's Theft Of Confidential Info?

A man could hold an insurance agency responsible after an employee with an arrest record allegedly took his contact information from a confidential database and shared it with her boyfriend, who used it to intimidate him, the Massachusetts Appeals Court recently ruled.



Two years before the incident, the employee, Danielle Burgos, had faced federal weapons charges that were resolved without a conviction after she completed a diversion program. At that time she had been working for a car insurance agency for several years, and she continued to work for the company afterward.

At some point, the employee's boyfriend, Daniel Thomas, was fleeing from the police in her vehicle and hit the vehicle of a man named Michael Adams. Afterward, Burgos used her employee access to access her own insurer's database and discovered Adams had filed a claim. She then apparently shared Adams's contact information with her boyfriend, who called Adams and made violent threats in an effort to get him to drop the claim.

When the agency discovered what Burgos had done, it fired her. But Adams sued the agency for negligently hiring and retaining her and failing to properly supervise her. A lower court judge tossed out his claim, ruling that the particular crime Burgos had been charged with (and for which she was never convicted) shouldn't have suggested to her employer that she was unfit to handle sensitive, confidential information.

But the Appeals Court reversed, finding that the employer's failure to investigate Burgos's assurances that the federal charges were just a misunderstanding that wouldn't affect her ability to do her job should have been enough to allow Adams's lawsuit to go to a jury.



BBQ Bacon Cheesburger Nachos

Prep Time: 15 minutes | Cook Time: 8 minutes | Total Time: 23 minutes | Serves: 8

Ingredients

- Large tortilla chips
- 4 slices bacon chopped and cooked until crisp
- 1/2 lb ground beef
- 1/2 small onion, chopped
- Salt and pepper to taste
- 1/8 cup and 1/3 cup barbecue sauce
- 3 cups shredded cheddar cheese
- Green onion, lettuce and tomato as garnish if desired

Directions

1. Preheat oven to 375°.
2. In medium pan, combine ground beef, onion, salt, and pepper. Cook, stirring, over medium-high heat until browned (drain off excess grease). Stir in 1/8 cup barbecue sauce. Set aside.
3. Pour 1/3 cup barbecue sauce into small baggie and set aside.
4. Line baking sheet with a single layer tortilla chips, very close together. Sprinkle with 1/2 of cheese, 1/2 of the beef mixture, and 1/2 of the bacon. Snip a small corner off of the bag with the barbecue sauce and drizzle half over the first layer of nachos.
5. Top with another single layer of chips, and sprinkle with remaining cheese, beef, and bacon. Drizzle with remaining sauce.
6. Bake for 8-10 minutes until toppings are warm and cheese is melted.
7. Garnish with green onion, lettuce and tomato as desired.