

▶ PREMISES LIABILITY

Williams Kastner is distinguished by its long history in defending commercial host establishments against premises liability claims in the Northwest. The firm represents insureds of liability carriers, self-insured corporate businesses and municipalities in civil litigation in this arena. The enormous breadth of our practical experience enables our attorneys to minimize, if not avoid, litigation costs and maximize the probability of successful outcomes in the defense of premises liability and other personal injury suits.



Williams Kastner regularly defends premises owners, such as retail stores, banks, and many other businesses in assorted premises liability cases. Examples of recent cases our firm has successfully defended include the following:

- Esmay v. Hines Interested Limited Partnership, et. al., Superior Court of Washington, King County - Defense of a premises liability lawsuit involving a loading dock design and maintenance for a large downtown office building. Plaintiff sustained multiple injuries to her head and neck and was seeking damages in excess of \$1,000,000 for said injuries. During the course of trial, plaintiff rejected a settlement offer of \$249,000. After a 2-week jury trial, Williams Kastner obtained a **unanimous defense verdict**.
- Bohms v. ConAgra Foods, Superior Court for Washington, Benton County – ConAgra was sued in a premises liability case where plaintiff, a truck driver for one of ConAgra’s suppliers, slipped and fell at one of ConAgra’s processing plants. Plaintiff broke both of her arms, injured her neck and back, sustained a concussion, and was out of work for nearly a year as a result of those injuries, which were deemed permanent. Williams Kastner was able to convince the plaintiff’s attorney to put the case into binding arbitration, and then was able to get a **defense award** at the arbitration hearing whereby plaintiff was awarded no damages and her lawsuit was dismissed.
- Rivas v. ConAgra Foods, Inc., Superior Court for Washington, Franklin County – ConAgra was sued in a premises liability case where plaintiff, an inspector with the Department of Agriculture, slipped and fell on hydraulic fluid that had pooled on the floor underneath some machinery at a ConAgra potato

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processing plant. Plaintiff sought damages for injuries to his knee, neck, back, and wrist; wage loss; and permanent partial disability. Williams Kastner was able to get the lawsuit **dismissed on summary judgment**.

- Reliford v. U.S. Bank, Superior Court for Washington, Island County – Plaintiff sued U.S. Bank after she slipped on ice and snow in the bank parking lot, claiming that the bank failed to maintain a safe premises. In addition to her significant medical expenses, Plaintiff also alleged lost wages and general damages (pain and suffering) totaling over \$100,000 as a result of permanent neck, back, shoulder and wrist injuries. Williams Kastner was able to get the lawsuit **dismissed on summary judgment**.
- Robinson v. U.S. Bank, Superior Court for Washington, Grant County – U.S. Bank was sued in a premises liability case, where plaintiff claimed he hit his head underneath a staircase on U.S. Bank property, knocking him to the ground unconscious. Plaintiff sought damages for a traumatic brain injury, and permanent wrist, hand, and knee injuries. Williams Kastner was able to get the lawsuit **dismissed on summary judgment**.
- Denbow v. U.S. Bank, Superior Court for Washington, Thurston County – U.S. Bank was sued in a premises liability case, where plaintiff claimed she tripped and fell on a hole in the asphalt near the bank's drive-up teller lanes. Plaintiff, a legal assistant, alleged serious permanent injuries to her right hand (which required surgery), as well as past and future wage loss. Williams Kastner filed a motion for summary judgment, and while the motion was pending, **settled the case for nuisance value**.
- Hembree v. Potelco, Inc., Superior Court for Washington, King County – Plaintiff was assaulted by a Potelco employee near a Potelco jobsite after plaintiff yelled at several Potelco employees for blocking a lane of travel in a parking lot with their truck that was being used to repair overhead power lines. A fight ensued and plaintiff sustained a broken jaw and several teeth with significant medical expenses incurred. He also claimed lost wages and emotional damages because he was humiliated by the assault that took place in front of his new wife. Williams Kastner was able to get the lawsuit **dismissed on summary judgment**.
- Blethen v. FedEx Office, et al., Superior Court for Washington, King County – Plaintiff fell down a flight of stairs leading out of a FedEx Office location in downtown Seattle and sustained serious personal injuries. Plaintiff sued both FedEx Office and the owner of the building that was being leased by FedEx and claimed medical expenses and other damages totaling nearly \$200K. The matter proceeded to arbitration and Williams Kastner was able to get a **defense award** at the arbitration hearing.