



TRIP AND FALL CASE LAW UPDATE

A store may be liable for failing to protect a customer from tripping over an “open and obvious” hazard according to a recent ruling by the Nevada Supreme Court. If you are injured as a result of tripping or slipping and falling due to a hazard condition, the property owner will argue that it was an open and obvious condition which you should have seen. However, in this particular case, the Nevada Supreme Court recognizing the “evolution” of state premises liability law, held that the open and obvious nature of a dangerous condition no longer automatically relieves a property owner from the general duty of reasonable care.

The plaintiff in the Nevada case sued Costco for negligence for injuries sustained when he tripped and fell over a wooden pallet that an employee had left in the store aisle. Costco claimed it did not breach a duty of care because the hazard created by the pallet was open and obvious. The questions remain as to whether the pallet or whichever dangerous condition caused you to be injured, was open and obvious and if the property owner acted reasonably.

If you have been injured because of a dangerous condition, call Simon Law Group for a free consultation with an attorney to discuss and proceed with your potential injury claim. Contact Simon Law Group at 480-745-2450 or Craig@Simonlawaz.com.