

SARASOTA LITIGATOR Journal

Published by the Law Office of Wittmer & Linehan, PLLC

Settlement Reached for Injuries Sustained in Falling Merchandise Case.

Jane Doe (client's name withheld for confidentiality) was shopping at a local closeout store when she suddenly and unexpectedly suffered life-changing injuries. As Mrs. Doe bent down to read the back of a can of Freon, two 22" tool boxes fell off an 8' shelf and crashed into the top of her head. She fell to one knee as she was momentarily knocked unconscious. Immediately, medical assistance was rendered and emergency care needed.

After undergoing conservative care for approximately four months, Mrs. Doe underwent neck surgery in an attempt to alleviate her unrelenting pain. Her surgery was helpful in reducing her pain, but it did not relieve all of her symptoms. Almost a year of therapy followed

her surgery. During this time Mrs. Doe remained on a daily regimen of pain medication to make her daily activities manageable.

Wittmer & Linehan were retained to represent Mrs. Doe in her case against the closeout store. Mrs. Doe attempted to settle her case without the need to file a lawsuit but our efforts were unsuccessful. In fact, the closeout store denied that the accident ever occurred. After months of litigation, Wittmer & Linehan proved that the incident did take place by the store's own documents and witnesses. On the eve of trial, the case successfully settled for a confidential amount. Mrs. Doe felt vindicated and happy to close this chapter in her life.