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MG Murray Guari Trial Attorneys PL

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Personal Injury | Wrongful Death | Auto Accidents | Product Liability | Premises Liability

RECENT NOTEWORTHY CASES

When Janitorial Company Fails To Warn, Murray Guari Makes It Pay

In the early morning hours of December 29, 2014, our client was working at the Palm Beach International Airport and was walking her office with the intent to go down to a lower level.

ATTORNEYS ON CASE

Jason J. Guari

Scott B. Perry

While she was walking towards the escalator (depicted below), she was unaware that for the several minutes prior a janitorial company employee was wet mopping the tile floor in the area leading up to the escalator. That janitorial employee failed to place any warning signs or cones in the area to show that the floor was wet. So, when our client walked unsuspectingly towards the escalator, she slipped due to the slippery, wet floor and fell violently striking her head and chin on the escalator.

Shortly after this fall, our client contacted Attorneys **Jason Guari** and **Scott Perry**. Murray Guari Trial Attorneys, knowing about the importance of surveillance in any slip and fall, immediately contacted the Airport and requested video surveillance of the area of the fall. The video clearly showed that the janitorial company failed to take simple, reasonable precautions after it created the dangerous condition of the wet floor, including providing warning.

Our client suffered a severe herniation in her neck causing significant compression of the nerves and radiating pain with numbness and tingling in her arms, as can be seen from the MRI on page 4.

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More Results Inside

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- When Insurance Company Refuses To Resolve Case, Murray Guari Trial Attorneys Goes To Trial

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When A "Professional" Undertakes A Task, He Has An Obligation To Do So In A Reasonable Manner

Attorney **Scott Murray** recently resolved a case for snowbird who was injured when his bicycle failed due to the negligence of the bicycle store where he bought it.

ATTORNEY ON CASE

Scott C. Murray

Our client went to a local bicycle store to purchase a bicycle that was similar to the bicycle he had at home up north. Relying upon the "expertise" of the bicycle store and its employee, our client purchased a bicycle that was suggested and setup by the bicycle store.

While riding the bicycle one day the seat post failed causing our client to fall to the ground and suffer a bimalleolar fracture – which is an extremely painful fracture of two bones in the area of the ankle as depicted herein.

After the fall, and after contacting **Murray Guari Trial Attorneys**, we learned through a retained expert that the bicycle sold to our client was two frame sizes too small and the seat post was adjusted too high for our client's height and weight causing the failure depicted to the right – with the metal peeling away.

Naturally, the insurance company for the bicycle store wanted to blame our client and blame the manufacturer for this failure – doing everything but looking at themselves for the failure. Ultimately, we had to file a lawsuit to protect our client's rights and alleged that the bicycle store was negligent for selling a bicycle that was too small, adjusting the bicycle improperly beyond manufacturer specifications for our client's height and weight, and for failing to properly train its employee who sold and setup the bicycle. When a party undertakes an action, such as setting of a bicycle for use by a customer, they have a duty or obligation to use reasonable care so as to not cause harm to others – which the bicycle store failed to do here.

Our client's injuries were able to be traced back to the bicycle store, even though no one from the bicycle store was at the scene when the fall happened, and the fall happened over a year after purchasing the bicycle. In the end, we were able to recover a gross settlement of **$250,000** from the bicycle store due its negligence and the negligence of its employee.

When you or a loved one are injured due to the fault of another, you need attorneys who have the knowledge and skillset to chase down leads and hold negligent parties liable. ■

Disclaimer: Each case is unique, and the results in one case do not necessarily indicate the quality or value of another case.

When Insurance Company Refuses To Resolve Case, Murray Guari Trial Attorneys Goes To Trial

ATTORNEYS ON CASE

Jason J. Guari

Scott B. Perry

Many attorneys say they are "trial attorneys," but not all "personal injury lawyers" litigate cases and actually go to trial. Recently, Attorneys **Jason Guari** and **Scott Perry** went to trial where a large, national insurance company (which claims that they're "like a good neighbor") refused to make a reasonable offer on behalf of its insured, the named defendant.

Our client was a lovely, 53-year-old woman at the time of trial. She had **ZERO prior complaints** of neck or back pain before getting involved in a three car, rear-end collision. The blue vehicle to the right was the defendant's SUV and the white car was our client's car, post-crash.

The defense – from the beginning – was that our client's diagnostic imaging (MRI/CT/X-RAY) of her spine showed significant, degenerative changes (age related), so despite the fact that our client had never complained of pain or symptoms – **"it had to be pre-existing conditions"** that caused her the need for a two-level, anterior cervical discectomy and fusion (ACDF), which she ultimately underwent several years after the crash.

From the beginning, Attorneys Guari and Perry argued that the defense was just unrealistic, but the insurance company for the defendant dug in its heels and left our client with two options: (1) accept an unreasonable amount or **(2) go to trial and leave it to the jury**. Our client put her trust in our firm and elected to go to trial.

After four days of trial, against a very seasoned defense attorney and on the eve of closing arguments, the insurance company for the defense sensed that the case was not going in its favor and settled for amount nearly **40% higher** than had been offered pre-trial. Our client, with the improved offer, decided to settle and take the final decision away from the jury, given the inherent risks of letting six strangers render a verdict.

Clearly, contrary to the image portrayed by insurance companies in their T.V. advertisements and large corporate sponsorships, the insurance companies are not in the business of always doing the right thing – instead, they make the business decision to deny, delay, and defend otherwise valid claims to wear down claimants and to avoid paying money.

When a defendant's insurance company refuses to act reasonably and gives low ball offers on valid claims, Murray Guari stands ready, willing, and able to take our clients' cases to trial to obtain just and fair compensation. ■

When Janitorial Company Fails To Warn, Murray Guari Makes It Pay

Continued from first page

Ultimately, after two years of conservative treatment and continuous pain, our client went through a serious procedure known as an Anterior Cervical Discectomy and Fusion ("ACDF") to resolve the radiating symptoms. Luckily, our client received a great result from the surgery, significantly improving the quality of her life.

Once she healed, Mr. Guari and Mr. Perry presented a demand to the janitorial company's insurance carrier, citing that its negligence caused a very preventable slip and fall. After significant negotiations, we recovered a **$380,000** settlement without the time, expense, and risk of filing a lawsuit or going to trial. The settlement reimbursed our client for her past lost wages, outstanding medical bills, and compensated our client for her future medical expenses and past and future pain and suffering, mental anguish, loss of the capacity to enjoy life, and inconvenience.

The message with the case is: If you or a loved one are injured as a result of a fall, it is important to contact an attorney as soon as possible so that any video evidence – or tangible evidence – can be preserved before it is erased and gone forever! ■

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