

Woman who fractured leg at beach condo settles suit for \$910K



Trip Riesen

■ BY BILL CRESENZO

A woman who fractured her leg after she tripped on a crack in a parking lot while arriving at the condominium her family was renting to celebrate her 81st birthday has confidentially settled a lawsuit against the building's owner for \$910,000, her attorney reports.

Trip Riesen of Riesen DuRant in Mount Pleasant said that when his client, whose name was withheld pursuant to a confidentiality agreement, arrived at the condo in the Isle of Palms to begin the celebration in 2019, she and her daughters exited their vehicle and walked toward an elevator through a dimly-lit parking area. The client then tripped on cracked, uneven asphalt and suffered a fracture to her left thigh, which needed surgery. She also underwent extensive physical and occupational therapy. Riesen said that before the incident the client had had an active lifestyle and was very involved in attending her grandchildren's events, such as dance recitals and Little League games. She enjoyed boating, yoga, and driving out of state to visit her siblings, but hasn't been able to sit in the car for long periods of time, walk without a walker, climb stairs, do housework or exercise since the incident.

"She was forced to rely on others to help her with groceries, cooking, and getting around," Riesen said. "She also had to make special ac-

commodations and renovations in her home so that she could get around, bathe, and use the restroom."

An engineering and human factors expert concluded that the raised edge of concrete was a significant trip hazard that should have been discovered by the manager of the villas and repaired in the normal course of business. Moreover, the poorly-lit area made it unreasonable for a first-time visitor to the villas to notice the crack in the walkway.

The pictures of the cracked concrete showed that it had been there for some time and should have been discovered and repaired by defendants, Riesen said. The poor lighting, combined with the fact that the client fell when she first arrived at around 8:30 p.m., also negated any assertion of an "open and obvious" defense, Riesen said.

Due to a confidentiality agreement, other details about the case, including the identities of the counsel and their counsel, were not available.

SETTLEMENT REPORT – PREMISES LIABILITY

Amount: \$910,000

Injuries alleged: Fractured femur

Case name: Confidential

Venue: Charleston County

Date of settlement: Feb. 17

Attorneys for plaintiff: Trip Riesen of Riesen DuRant in Mount Pleasant

Attorneys for defendant: Withheld