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Hartline Dacus Barger Dreyer LLP Successfully Defends Major Discount Clothing Retailer in Premises Liability Lawsuit

Hartline Dacus Barger Dreyer LLP successfully defends large retailer in trial of personal injury premises liability lawsuit.

HOUSTON, Texas, June 17, 2012 — Hartline Dacus Barger Dreyer LLP attorneys Marshall Rosenberg and Kevin Tompkins secured a jury verdict for a major discount clothing retailer after a week-long trial in Galveston, Texas.

The plaintiff sued the retailer, claiming an empty display platform caused her to fall, strike her head and suffer multiple injuries, including damage to her cervical spine and artificial hip bone, according to the complaint filed in the case. The plaintiff's lawyer argued that the raised platform was not clearly visible, causing her to trip over it. The plaintiff had several surgeries to repair the damage allegedly resulting from her fall.

Marshall Rosenberg

Rosenberg and Tompkins presented evidence that the elderly plaintiff was in poor health, and had undergone a number of previous surgeries. In addition, she was taking a prescription medication known to affect equilibrium and balance. Defense counsel argued that these other factors were the more likely cause of this unfortunate accident rather than any negligence on the part of the store.

Kevin Tompkins

"We were confident that our client had followed appropriate safety precautions when positioning the display platform and we're pleased that the jury agreed with our assessment of the situation," said Marshall Rosenberg, an attorney in HDBD's Houston office.

Hartline Dacus Barger Dreyer LLP is a Texas-based law firm specializing in civil litigation and trials, with offices in Dallas, Corpus Christi and Houston. The firm's attorneys pride themselves on providing uncompromising excellence to their clients in a variety of areas, including products liability, commercial litigation, class action and multidistrict litigation, intellectual property, personal-injury defense, premises liability, labor and employment, insurance coverage, healthcare, construction, and dealer/franchise litigation. For more information about HDBD, visit www.hdbdlaw.com.

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SOURCE: Hartline Dacus Barger Dreyer LLP
Cause No.: 10 CV 1790
Court: District Court of Galveston County, Texas 122nd Judicial District
Judge: The Honorable John Ellisor

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