



## \$500K for Sidewalk Fall

*Thomas v. Washington Street Carwash Inc.*: A woman who broke her arm during a fall on an uneven sidewalk in Newark settled her Essex County suit for \$500,000 on Aug. 31.

On May 2, 2016, Evon Thomas was walking near her home on Washington Street when she tripped over a sidewalk slab that was raised 1 1/4 inches, according to her lawyer, **Angelo Catanzariti** of **Corradino & Papa** in Clifton.

Thomas, currently 73, broke her right humerus in three places and underwent an internal fixation procedure, which she claimed led to scarring. The suit also claimed neck injuries that required physical therapy and

epidural injections. Catanzariti said Thomas has some lingering pain and limited range of motion.

The suit named the owner of the commercial property adjacent to the sidewalk, 378-392 Washington Street Carwash Inc., claiming the owner negligently failed to fix the dangerous sidewalk. There was significant discovery motion practice, during which litigation over a prior fall at that location was discovered, though the defendant denied knowledge of any such prior falls, according to Catanzariti.

The defense ultimately stipulated liability following arbitration, and the matter was set for trial on damages. It settled on



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the first day of trial, prior to testimony, Catanzariti said.

The defendant's counsel, **Kalliopi Kousis** of **Gallo Vitucci Klar** in Hackensack, didn't return a call about the case.

— **David Gialanella**