

## Scope of Services

The MWH Premises Liability Litigation group demonstrates a steadfast dedication to protecting the rights and interests of real property developers, managers, and owners, and understands that premises liability litigation extends far beyond simple slip-and-fall cases. Our attorneys are prepared to address complex matters involving governmental immunity, complicated contractual indemnity, involvement of onsite contractors, and additional insured obligations. We also believe that preparation and prevention are key factors in premises liability — MWH regularly provides comprehensive risk management and mitigation counsel to commercial clients that are establishing real property. We advise on regulatory compliance and insurance coverage, and offer contract review and analysis, as well. Our attorneys possess deep knowledge of the general principles of negligence and are well-versed in both statute and case law.

Our premises liability clients include national and global retailers, commercial property owners, restaurants, shopping centers, residential property owners, general contractors, developers, insurers and insureds, governmental entities, and more.

- Wrongful death claims
- Fires and subsequent injuries and/or fire-damage claims
- Accidents involving industrial machinery, including farm accidents
- Weather-related injuries
- Negligent security claims
- Claims of hazardous conditions and exposure to mold and asbestos, toxic odors and chemicals, lead paint, and other potentially harmful substances
- Slip-and-fall accidents
- Accidents involving alleged defective or insufficient lighting in parking lots, hallways, and stairwells
- Accidents caused by alleged property defects or alleged negligence of property maintenance
- Injuries allegedly caused by falling objects
- Accidents caused by allegedly negligent handling or storage of hazardous materials, such as spills or leaks

## Recent Representative Matters

- **Obtained** dismissals with prejudices of customers' claims for alleged injuries incurred while shopping in retail establishments.
- **Obtained** decisive defense verdict in jury trial regarding alleged injuries sustained from a fall outside of client's retail location. Plaintiff claimed negligence in owning and maintaining a pedestrian gate to prevent theft. Before trial, we secured an order limiting potential damages to \$75,000. The jury determined that our client was not negligent in any way.
- **Obtained** decisive defense verdict for a large, big-box retailer in a three-day jury trial in federal court. Plaintiff claimed they suffered more than \$1 million in damages due to store's alleged negligence in keeping its parking lot clear and properly illuminated. The jury determined that our client was not negligent in any way.
- **Obtained** decisive defense verdict in favor of a large retail client, after a five-day jury trial, regarding alleged violation of Wisconsin's Safe Place statute. Although Plaintiff alleged \$5M in damages and claimed our client was negligent, the jury disagreed and determined our client was neither negligent nor in violation of the statute.
- **Handled** a premises liability claim for a big-box retailer in which Plaintiff alleged they tripped over a strap attached to a box and injured hip. Claim was settled to our client's satisfaction before going to trial.
- **Provided** coverage opinion for an insurer regarding the fall and injury of their insured's employee while working onsite. The employee was associated with a third-party subcontractor, which complicated the analysis.
- **Delivered** an oral argument to the Eighth Circuit Court of Appeals, defending a district court win where summary judgment was granted in favor of the retailer based on insurance coverage for claimed injuries, amid nuanced policy language challenges.
- **Handled** a range of cases involving medical administration errors, brain surgery complications, nursing errors, birth injuries, and diagnostic errors for a major Midwest medical system.
- **Settled** a premises liability claim for a major retailer through mediation. Plaintiff claimed injuries from alleged falling ice while entering the retail location and sought extensive damages to cover medical bills. Client was satisfied with settlement agreement.
- **Successfully** defended premises owner and operators sued by patrons who suffered injuries while on client's property by working closely with accident reconstructionist and other liability experts. The parties' issues ranged from soft tissue injuries to fractures, spine injuries, complex pain syndromes, and death.

Learn more about MWH, our professionals, and our experience at [mwhlawgroup.com](http://mwhlawgroup.com).

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