Jun 2019 | Firm News

Yankwitt LLP Wins Summary Judgment Motion in Escalator Case Filed Against its Hospitality Client

Yankwitt LLP successfully moved for summary judgment to dismiss all claims against its hospitality client, in two consolidated personal injury actions brought in New Jersey Superior Court, Bergen County. Both Plaintiffs suffered injuries when they tripped over their own luggage on an escalator. Plaintiffs alleged that Defendant failed to warn its patrons of the danger of bringing luggage on the escalator. It was undisputed, however, that Defendant had placed a large and clear sign at the top of the escalator warning patrons that luggage is prohibited on the escalators, and advised patrons to use the elevator instead. Plaintiffs failed to proffer any evidence to establish that this sign was unreasonable or that Defendant otherwise failed to warn its patrons about improper usage of the escalator. Additionally, Plaintiffs failed to show that the escalator was defective or malfunctioned in any way. On May 24, 2019, the Court granted our motion for summary judgment in its entirety, finding that both Plaintiffs had not satisfied their burden of establishing the hospitality client breached its duty of care to them and therefore, their negligence claims must be dismissed.