



As a property owner, renter, contractor, or insurer, you face potential risk whenever a person comes in contact with your premises. If an alleged injury occurs, MG+M attorneys can quickly evaluate your exposure, develop strategies to limit damages, resolve disputes prior to trial, and represent you vigorously before judges and juries. We have successfully defended hundreds of high-risk premises cases involving slip and fall, inadequate security, equipment malfunction, toxic substance, and faulty construction claims, as well as claims arising under the Americans with Disabilities Act.

## Investigation

We believe that investigation is the key to success in premises claims. If the attorneys do not conduct an early or thorough investigation, critical evidence can be lost, including photographs that depict the condition of the scene when the incident occurred and statements from the key witnesses. We also believe in retaining investigators to surveil plaintiff to determine the seriousness of his or her alleged injury. Often times, effective investigation can force a plaintiff to dismiss the claim or resolve it for a nuisance value.

## Early evaluation and settlement

We believe in early evaluation of our claims to set a strategy for the defense rather than engage in extensive and unnecessary discovery without a plan for the resolution of the claim. If we determine early on that liability is clear, we believe in engaging with the plaintiff's counsel in informal discovery to obtain the key facts necessary to determine our client's potential exposure and work toward an early resolution strategy.

## Targeted discovery

When early settlement is not possible, we only engage in discovery designed to effectuate our overall defense strategy. Our experienced litigators are known for the kind of aggressive discovery that shuts down unwarranted, unsupported, or overbroad claims. We investigate thoroughly and efficiently, using the results to reduce claims and put settlement pressure on plaintiffs. If the matter cannot otherwise be resolved, the information we develop becomes an important part of our trial, arbitration, or mediation strategy.

## Top-tier trial skills

As courts increasingly require that certain types of premises cases be tried instead of resolved on motion, MG+M's courtroom experience is a decided plus. Our attorneys have logged thousands of hours in court, working with renowned medical, scientific, causation, and damages experts to communicate complex information to judges and juries. Our compelling presentations and strong evidence lead to the best possible outcomes for clients.

## Experience

- + Obtained summary judgment for a retail client by demonstrating that the plaintiff's employer maintained control over the plaintiff's means and methods of work.
- + Obtained summary judgment for an industrial bakery by demonstrating it had no duty to the wife of an employee for chemicals used at the site. Summary judgment was affirmed by the California Court of Appeal.
- + Obtained summary judgment for a department store by demonstrating that the handicap ramp down which the plaintiff fell complied with building codes pertaining to marking and slope.
- + Obtained a defense verdict for a nationwide restaurant chain in a trial in California, with a \$4 million dollar settlement demand. Through fact and expert witness cross examination, MG+M attorneys were able to demonstrate that the plaintiff misrepresented how the incident occurred and the extent of her injuries.
- + Won a jury verdict in a seven-day snow-and-ice trial in Massachusetts, successfully defending a building owner, property manager, and janitorial/snow-removal service against more than \$1 million in claims.
- + Obtained summary judgment for our client, a landlord, in a personal injury case filed by a police officer in the Connecticut Superior Court for the Judicial District of Putnam. We successfully argued that pursuant to the

## Premises Liability

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common law "firefighter's rule," a landowner owes no duty of care to a first responder who enters the premises within the scope of his official duties.

- + Secured a summary judgement for a general contractor in Kings County Supreme Court in a premises liability case. Due to multiple layers of subcontractors on the job site, MG+M showed that our client did not cause or create the condition that caused the plaintiff's injuries, had no notice of the alleged defect, and did not owe the plaintiff a duty as they failed to meet the standard for any *Espinal* exceptions.
- + Secured summary judgment ruling in favor of national home improvement retailer in Connecticut Superior Court action seeking damages for personal injuries arising out of allegedly defective premises.
- + Obtained complete dismissal from the Supreme Court of the State of New York of a high-value claim against our client related to alleged personal injuries and premises liability, allowing our client to avoid a costly settlement or trial.