



TAYLOR AND WALKER P.C.

PRESS RELEASE

Chesterfield County Circuit Court Judge Strikes Plaintiff's Evidence Due To Plaintiff's Contributory Negligence

April 6, 2005

Taylor & Walker attorney Benjamin T. Owings represented homeowners who were sued by a furniture deliveryman who fell while delivering furniture to their home. Four inches of snow had fallen the day before the delivery. When plaintiff deliveryman arrived at the home no steps had been taken to clear snow from the stairs or walkway. Plaintiff and his assistant undertook to clear a path between the truck and the front door, clearing only a partial path on the front steps of the house. Plaintiff admitted that he was concerned about the snow and knew that it was a safety hazard. Plaintiff slipped on snow which had not been removed from the steps. At the close of plaintiff's case in chief Mr. Owings made a motion to strike the plaintiff's evidence arguing that the condition was open and obvious, and that plaintiff was aware of the danger but proceeded on the steps in spite of it. The Court agreed stating that it had never seen a more "textbook case of contributory negligence." Case dismissed.

Taylor & Walker attorneys represent businesses and individuals in many simple and complex premises liability cases.

###

NORFOLK
1300 FIRST VIRGINIA TOWER
555 MAIN STREET
POST OFFICE BOX 3490
NORFOLK, VIRGINIA 23510
T 757 625-7300
F 757 625-1504

RICHMOND
6802 PARAGON PLACE
SUITE 126
RICHMOND, VIRGINIA 23230
T 804 673-0341
F 804 673-2001

WWW.TAYLORWALKERLAW.COM