

New Jersey Law Journal

Suit Over Lowe's Trip and Fall Settles for \$4 Million

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By P.J. D'Annunzio | April 03, 2020



A woman who was injured after tripping and falling over a power cord at a Lowe's store has settled her federal case against the retailer and two other companies, *Schultz v. Lowe's Home Centers LLC*, for \$4 million on Feb. 14.

Plaintiff Brenda Schultz sued Lowe's, its affiliate Sungevity Inc., National Tour Integrated Resources Inc. after tripping on a cord connected to a mobile marketing display for solar panel systems outside of the Lowe's store in Turnersville.

According to settlement documents, Lowe's agreed to pay \$1 million, National Tour agreed to pay \$2 million, and Sungevity agreed to pay \$1 million. The plaintiff is represented by **Matthew Mendelsohn** and **David Mazie** of **Mazie Slater Katz & Freeman**.

The fall occurred on May 29, 2016, at the Lowe's store in Turnersville, when Schultz tripped over a power cord outside the store. The cord ran from a popcorn machine set up next to a marketing van belonging to Sungevity, a now-defunct solar electricity company partially owned by Lowe's, that was promoting its services at the store that day, Mendelsohn said. The extension cord ran across the store's entrance, he noted.

Mendelsohn said the case settled before pre-trial workup. "This is an outstanding result in a difficult case," Mendelsohn said. "We are very happy that Ms. Schultz got the compensation she deserves and can now move on with the rest of her life."

Thomas Crino of **Goldberg Segalla** represents Lowe's; **Richard Bryan** of **Cipriani & Werner** represents National Tour; **Paul Soderman** represents Sungevity. None responded to requests for comment.

"As a result of the fall, plaintiff injured her right wrist and elbow, including fracturing the head of the left radius. Unfortunately, as a result of these injuries, plaintiff developed severe Chronic Regional Pain Syndrome ("CRPS") that subsequently spread to other parts of her body," the plaintiff's mediation memorandum said.

"CRPS, formerly referred to as Reflex Sympathetic Dystrophy ("RSD"), is a condition that causes severe neuropathic pain and other life-changing symptoms," it continued. "Ms. Schultz's CRPS has resulted in severe, unrelenting pain in her arms, legs and face. The pain she describes is 'burning' and '[i]t is like crushing, like if somebody grabbed your wrist and just started to squeeze.' Ms. Schultz also described a hypersensitivity that is always present in her face and anything that touches it causes severe pain."

Schultz claimed she also sustained psychological injuries as a result of the incident.

"As a result of the severe, chronic pain that results from the CRPS, as well as the resulting inability to perform activities of daily living, plaintiff has developed significant psychological issues, including severe depression and anxiety," the memorandum said.

— *P.J. D'Annunzio*