

# OUR PRACTICE

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## Premises Liability

**Reducing premises liability is often a key part of a company's legal defense strategy. Whether faced with allegations of premises liability, negligent activity, or issues of control of the work being performed, companies must take preventive measures to limit their liability, and clients across all types of industries have relied on Baker Donelson. We survey client properties and identify conditions that may easily give rise to injury, and we advise clients on the latest regulations intended to prevent injury and liability.**

When litigation occurs, we provide clients with a vigorous defense. We move quickly to conduct incident investigations and develop defense strategies that often include expert testimony designed to establish compliance with industry standards. We also analyze key premises liability issues such as foreseeability, notice, open and obvious conditions, opportunity to cure defective conditions, and superseding and intervening causes of injury.

We are experienced in all aspects of premises liability claims, including slip and fall accidents, failure to provide a secure and safe environment, lack of fall protection, OSHA violations, and inadequate security. When a premises liability claim also involves a product liability claim, such as an accident caused by product display or demonstration, our attorneys pursue cross-complaints to lessen the liability exposure of our clients.



### Case Studies

- [Unanimous Jury Defense Verdict in Premises Liability Trial - Product Liability Litigation](#)
- [Summary Judgment Victories for Choice Hotels International, Inc. - TVPRA Litigation](#)



### Representative Matters

- Represented a national commercial vehicle rental company in premises liability and personal injury litigation.
- Represented a major retailer in premises liability cases (slip and fall, false arrest, false imprisonment, malicious prosecution) throughout Tennessee.
- Obtained summary judgment and subsequent nuisance value settlement for a restaurant chain resolving allegations of products hazard and failure to render help case. The original demand was in excess of \$1 million.
- Represented a national banking institution in premises liability cases.
- Represented an automobile dealership in premises liability cases (false imprisonment, malicious prosecution and outrageous conduct claims).
- Represented a major retailer in a wrongful death suit alleging excessive force by security personnel.
- Obtained a defense verdict at trial for a rehabilitation hospital in a case alleging negligence on the part of an employee in allowing the plaintiff to suffer severe injuries in a fall.
- Obtained a summary judgment for southern rehabilitation hospital chain in an alleged brain injury from a slip-and-fall incident.
- Represented a major retailer in slip-and-fall incidents involving water, other liquids and produce; falling merchandise; automatic door injury claims; and false imprisonment and related claims (malicious prosecution, abuse of process, and outrageous conduct).
- Represented a restaurant chain in numerous suits involving slip-and-fall and foreign material in food claims.

- Represented a gas station and market chain in suits alleging liability for slip-and-fall incidents, as well as a suit alleging liability for assault by an employee on a customer.