

Norwalk Hospital Prevails in Premises Liability Action

On June 3, 2016, the defense team of Michael Neubert and Adam Maiocco obtained judgment in favor of Norwalk Hospital in a premises liability action tried in Stamford Superior Court before Judge Donna Heller. The plaintiff claimed to have sustained a torn meniscus, and subsequently a torn rotator cuff, as a result of a fall from a chair in an atrium at the hospital. The plaintiff made a settlement demand prior to trial seeking \$950,000. Attorneys Neubert and Maiocco established that the hospital did not have notice-actual or constructive- of any alleged defect or dangerous condition claimed to exist on the premises. In doing so, the defense also refuted the plaintiff's attempts to use the "affirmative act of negligence" theory and "mode of operation" rule to establish liability. The Superior Court's Memorandum of Decision in Thomas Olsen v. The Norwalk Hospital Association is linked.

Contact Us

Please contact Michael D. Neubert or Adam V. Maiocco if you have any questions or would like further information about any issues raised in this advisory. Contact us at 203.821.2000 or www.npmlaw.com.



Michael D. Neubert

Michael D. Neubert is a founding partner and head of the litigation practice group at Neubert, Pepe & Monteith, P.C. Attorney Neubert has extensive experience in the areas of civil and commercial litigation, professional liability defense, hospital liability law, representation of physicians in professional licensing disputes, product liability, administrative law, premise liability, municipal liability, and employment litigation.



Adam V. Maiocco

Adam V. Maiocco is a civil litigation attorney specializing in medical malpractice defense, legal malpractice defense, premises liability, motor vehicle, and other personal injury matters. He has many years of experience handling cases at every phase of litigation. Attorney Maiocco is a member of the firm's Medical Malpractice & Hospital Liability Defense and Professional Malpractice & Liability Defense practice groups.