



HOME > ADVOCACY, NEWS, & PUBLICATIONS > LAW REPORTER >

PREMISES LIABILITY : PREMISES LIABILITY

MAN TRIPS OVER BARRIER IN ART MUSEUM: CREATION OF DANGEROUS CONDITION: SHOULDER FRACTURES: VERDICT.

Springsteen v. Museum of Contemporary Art, Ill., Cook County Cir. Ct., No. 02 L 11635, Oct. 2, 2004.

Springsteen, 68, was visiting an art museum when he tripped over a 16-inch high stanchion and cord barrier used to protect the art. He suffered fractures to both shoulders, requiring surgical replacement of the right shoulder. His past medical expenses were about \$63,000. A retiree, he did not claim lost income.

Springsteen sued the museum, alleging it created a dangerous condition on its premises by having a stanchion and cord that were too short and placed in the path of travel in an area where patrons are looking at the art and not at the height of the stanchion.

Defendant contended that the barrier was plainly visible and that plaintiff saw it. Defendant also argued that a higher barrier would have interfered with the line of sight to the artwork.

A jury found defendant 80 percent at fault and plaintiff 20 percent liable and awarded \$750,000, which was reduced to \$600,000 to reflect the finding of comparative negligence. Defendant has reportedly appealed.

Plaintiff's experts were Boone Brackett, orthopedics, Oak Park, Ill.; and Mark E. Briggs, safety, Champaign, Ill.

Defendant's expert in this case was John Vinci, museum architecture, Chicago, Ill.

Plaintiff's Counsel

Katherine A. Cardenas, Chicago, Ill.

David H. Lucas, Chicago, Ill.

Comment: Defendant's expert witness was barred from testifying at trial based on his lack of knowledge and experience in safety issues.

777 6TH STREET, NW, SUITE 200 WASHINGTON, DC 20001

800.424.2725 | 202.965.3500

© 2017. American Association for Justice, All Rights Reserved

[Privacy Policy](#)