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Trial Reports

Negligence

Fall at Home - Paraplegic - Products Liability - Failure to Warn - Latent Danger - Rotating Window

Type of Case: Personal injury. Plaintiff fell while cleaning window that suddenly rotated.

Type of Injuries/Damages: Plaintiff was rendered a paraplegic

Age of Plaintiff: 50-years-old on date of injury

Court/Case No.: Evans v. Rolscreen; Wake County Superior Court No. 87
CVS 8663

Awarded/Settled: Settled shortly before trial

Date Case Concluded: July 1990

Judge or Jury: n/a

Amount: \$800,000

Highest Pre-Verdict Offer: n/a

Other Useful Information: Plaintiff, a professor of political science at the University of Tennessee, attempted to wash the double-hung windows at his beach home in Avon. He took the screens off the windows, and located himself on the sill. He lowered the window around his knees for support and washed the window in front of him. He then proceeded to wash the bottom window to his right, and as he began this process, the window rotated from its frame and knocked him off the window sill. He fell to the ground.

The windows in question have a feature whereby the windows would rotate from the frames for purposes of cleaning, but plaintiff was unaware of this. After the present lawsuit was filed, Rolscreen began placing warnings and cleaning instructions on the windows.

Insurance Carrier: Employers Mutual

Attorney(s) for Plaintiff: Douglas B. Abrams, BLANCHARD, TWIGGS
ABRAMS & STRICKLAND, Raleigh; Charles Wagner, Knoxville, TN.

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