



METHFESSEL & WERBEL

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C A S E A L E R T

METHFESSEL & WERBEL'S LORI BROWN STERNBACK BRINGS HOME A "NO CAUSE" IN MONMOUTH COUNTY

It's no secret that judge shortages and COVID backlog continue to plague many vicinages throughout New Jersey. However, the logjam is beginning to break in many counties. Two weeks ago one of our veteran trial attorneys, [Lori Brown Sternback](#), tried a premises liability case in Monmouth County relating to an accident that occurred in the State of Vermont. Lori helped the jury navigate the terrain of New Jersey tort law with the help of Vermont and national building codes to arrive at a defense verdict.

Plaintiff was a friend of the defendant, at whose Vermont vacation home he sustained injuries after falling from an exterior deck without guardrails. Plaintiff fell from the deck while attempting to swat a bug. He alleged negligence on the part of our insured because the deck had no guardrails and the switch for lighting that would have better illuminated the deck

was placed in an out-of-the-way location which he could not find.

Lori demonstrated that the deck was elevated no more than 22 inches off the ground; at some points only nine inches. The applicable codes required guardrails at commercial properties only if the elevation exceeded 30 inches. None of the potentially applicable codes required placement of the switch for the deck lights in a particular location. Perhaps even more importantly, Lori's witnesses recounted a history of open communication between the hosts and the guests, who never asked about the lights on the deck.

The jury deliberated for 30 minutes before returning a "no cause" verdict. Congratulations to Lori and our client - and here's to many more successful claim resolutions through the fall!

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