

E-Alert Announcement

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SUMMARY JUDGMENT OBTAINED IN NEGLIGENT SECURITY ACTION

Stephan Greco and **Thomas Regnier**, Associates in our Hollywood office, obtained summary judgment on June 16, 2014, in favor of Defendant, AW & JR Properties, Inc., in The Estate of Paola Cordoba vs. AW & JR Properties, Inc. et al, a wrongful death lawsuit filed in the 11th Judicial Circuit, Case No. 13-31702 CA 42, before Judge Daryl Trawick in Miami, Florida. Ms. Cordoba had met friends at a bar located on AW & JR's property and got into a verbal altercation with another woman, Marie Tellez. The women left the bar and continued their altercation in the City of North Miami parking lot used by bar patrons. As Ms. Cordoba walked away from Ms. Tellez, Ms. Tellez got into her BMW X5 and ran over Ms. Cordoba, killing her.

The Estate of Ms. Cordoba sued AW & JR Properties in negligence, alleging that AW & JR Properties had actual or constructive notice of prior similar, criminal acts in the vicinity of the bar and on its premises, and had a duty to protect the bar patrons from foreseeable criminal attack. Mr. Greco argued that AW & JR Properties did not have actual or constructive control of the instrumentality that led to Ms. Cordoba's death, did not control the premises on which the incident occurred, and did not control the assailant. The Court ruled that AW & JR Properties had no duty to prevent the misconduct of the assailant towards Ms. Cordoba and had no responsibility for the events that occurred at the bar, since it had relinquished possession and control of the premises.

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