# [***Thomas Malick v. Seaview Lincoln-Mercury, ACR Mobile Detailing; 2007 Mealey's Jury Verdicts & Settlements 22***](https://advance.lexis.com/api/document?collection=jury-verdicts-settlements&id=urn:contentItem:4MY6-WDB0-0223-Y2ST-00000-00&context=)

ATL-1407-04

Jan. 26, 2007

**Headline:** New Jersey State Jury Awards More Than $5.8M For Worker Injured In Slip And Fall At ***Car*** Dealership

**Result:** $5,820,304 plaintiff verdict ($3 million for pain and suffering, $425,000 for the length of his life that he will be unable to work, $95,304 for past medical expenses, $2.3 million for future medical expenses)

**Injury:** Herniated disc at L2-L3, L3-L4, L4-L5, scar tissue

**Court:** N.J. Super., Atlantic Co.

**Judge:** Joseph Kane

**Plaintiff Profile**

Thomas Malick

**Defendant Profile**

Seaview Lincoln-Mercury, ACR Mobile Detailing

**Plaintiff Counsel**

Tom Vesper, Sinderbrand, Westmoreland, Vesper & Quattrone, West Atlantic City, N.J

**Defendant Counsel**

For Seaview - Mitchell S. Berman, Law Offices of Mitchell S. Berman, Vineland, N.J. For ACR - Robert S. Greenberg, Law Offices of Robert S. Greenberg, Vineland

**Case Summary**

**Claim:** Negligence

**Background:** Sources told Mealey Publications that on Jan. 17, 2003, Thomas Malick was employed by H&R Radio installing a remote control key lock on a Ford Focus at the Seaview Lincoln-Mercury, now Holman, in Egg Harbor Township, N.J., when he slipped and fell on a mixture of soapy water and oil.Malick, 35, was lying underneath a ***car*** at the dealership installing the device for about an hour and a half, sources said. Then Malick got up and went to his own ***car*** for additional parts, sources said, and he slipped and fell on a patch of soapy water and oil that had accumulated from a ***car*** being washed and detailed by ACR Mobile Detailing.Sources said Malick waited six days after the ***accident*** to seek medical treatment for a herniated disc at L2-L3, L3-L4, L4-L5 and didn't get his first treatment for the injury until Feb. 7, 2003. As a result of the ***accident***, sources said, Malick is unable to return to work and is on permanent disability. Sources said that as a result of scar tissue and severe arthritis resulting from the ***accident***, Malick is in severe pain and must take five medications a day, including a muscle relaxant and nerve-damage medication. Malick sued Seaview and ACR on May 10, 2004, in the Atlantic County Superior Court.

**Other:** The trial lasted eight days, and the jury deliberated two hours, sources said.The jury found Seaview 99 percent negligent and ACR 1 percent negligent. Under a confidential agreement, Seaview's insurance carrier, Universal Underwriters, will pay the entire amount of the jury verdict, sources said.Sources said an amended complaint was filed Oct. 12, 2005, naming ACR as a defendant.

**Defense:** Allegations denied; if he were injured at the dealership, Malick would have sought immediate medical help.

**Plaintiff Expert(s)**

Robert Wolf, Ed.D., reported on the economic impact and cost of Malick's injury Sophia Lamb, M.D., Malick's treating physician, testified on Malick's condition and the treatments and medications he can expect to need for the rest of his life

**Defendant Expert(s)**

None reported

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LexisNexis Jury Verdicts and Settlement Report

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