

INSURANCE CLAIM FILE

Claim Number: CLM-2024-003012
Claim Type: Commercial Liability
Claimant: Patricia Vaughn (Third Party)
Policy: CGL-2234789 (Sunny Days Cafe LLC)

LIABILITY CLAIM REPORT

Insured Business: Sunny Days Cafe LLC
Policy Number: CGL-2234789
Coverage: Commercial General Liability - \$1,000,000/\$2,000,000
Incident Date: February 28, 2024
Claimant: Patricia Vaughn (Age 67)

INCIDENT DESCRIPTION

On February 28, 2024, at approximately 11:15 AM, third-party claimant Patricia Vaughn slipped and fell inside Sunny Days Cafe located at 445 Commerce Street, Portland, OR. The incident occurred near the beverage station where a coffee spill had not been promptly cleaned. Mrs. Vaughn fell onto her left side, sustaining injuries to her left hip and wrist.

Cafe manager Timothy Brooks completed an incident report at 11:32 AM. Surveillance footage from camera #3 captured the incident. Witness statements were obtained from two customers present at the time: Mark Sullivan and Diana Reyes.

Emergency services were called. Mrs. Vaughn was transported by ambulance to Providence Portland Medical Center where she was diagnosed with a left hip fracture requiring surgical intervention.

TIMELINE OF EVENTS

February 28, 2024 - 11:15 AM: Slip and fall incident occurs.
February 28, 2024 - 11:20 AM: Staff assists claimant. 911 called.
February 28, 2024 - 11:32 AM: Incident report completed by manager.
February 28, 2024 - 11:45 AM: Ambulance arrives. Claimant transported to ER.
February 28, 2024 - 2:30 PM: Insured notifies insurance company.
February 29, 2024: Claims adjuster assigned: Robert Kim (Adj. ID: ADJ-3349).
March 1, 2024: Surveillance footage preserved and reviewed.
March 1, 2024: Witness statements collected.
March 2, 2024: Claimant undergoes hip replacement surgery at Providence Portland.
March 4, 2024: Attorney letter received - Law Office of Jennifer Walsh representing claimant.
March 8, 2024: Site inspection conducted. Floor maintenance logs reviewed.
March 15, 2024: Claimant discharged to rehabilitation facility (Marquis Piedmont).

March 20, 2024: Medical records request sent to Providence Portland.
April 5, 2024: Medical records received. Surgery cost: \$47,830.00.
April 15 - May 30, 2024: Rehabilitation facility stay (45 days).
June 1, 2024: Claimant discharged home with home health services.
June 15, 2024: Demand letter received from claimant's attorney: \$285,000.00.
July 1, 2024: Independent Medical Examination (IME) scheduled.
July 18, 2024: IME completed by Dr. Howard Stern. Report supports surgery necessity.
August 5, 2024: Settlement negotiations begin.
August 22, 2024: Settlement reached: \$142,500.00.
September 3, 2024: Release signed. Payment issued.

LIABILITY ANALYSIS

Surveillance footage confirms coffee spill was present for approximately 8 minutes before incident. Floor maintenance log shows last inspection was at 10:45 AM (30 minutes prior). Company policy requires inspections every 15 minutes during peak hours.

Liability assessment: Insured bears primary responsibility due to failure to maintain safe premises and adhere to inspection protocol. Comparative negligence not applicable - claimant was walking normally and using appropriate footwear.

DAMAGES BREAKDOWN

Medical Expenses:

- Ambulance transport: \$1,850.00
- Emergency Room: \$8,420.00
- Hip replacement surgery: \$47,830.00
- Hospital stay (4 days): \$12,400.00
- Rehabilitation facility (45 days): \$38,250.00
- Home health services (60 days): \$7,200.00
- Physical therapy (ongoing): \$4,500.00 (to date)
- Prescription medications: \$1,245.00
- Medical equipment (walker, wheelchair): \$890.00

Total Medical: \$122,585.00

Other Damages Claimed:

- Lost wages (claimant is retired - not applicable)
- Pain and suffering: Claimed \$150,000.00
- Loss of enjoyment of life: Claimed \$50,000.00

SETTLEMENT SUMMARY

Initial demand: \$285,000.00
Counter offer: \$95,000.00
Final settlement: \$142,500.00
(Represents medical specials + \$19,915 general damages)

CLAIM STATUS: CLOSED - SETTLED

Total Incurred: \$142,500.00 + \$12,450.00 (defense costs) = \$154,950.00