

MINNESOTA

CARA PASSARO PREVAILS IN PREMISES LIABILITY CASE



The Minnesota Court of Appeals Affirms and the Minnesota Supreme Court Denies the Petition for Review in Cara Passaro's \$1.9 Million Premises Liability Case.

The Plaintiff was injured when he stepped into a sump pump basket with an unsecured cover while touring a foreclosed home. The Plaintiff had suffered a broken ankle which required fusion, and was contemplating amputation, as it was unclear whether the fusion was successful.

The Trial Court granted Ms. Passaro's Motion for Summary Judgment brought on behalf of the bank owner, and the real estate agents assisting with the sale of the Home. After determining that the sump pump basket was an improvement to real property, the Court further determined that the negligent maintenance and inspection exception to Minn. Stat. §541.051 applied, rendering the claims timely. However, the Court ultimately determined that the reasonable care elements were satisfied as a matter of law where multiple safety and system inspections failed to reveal any dangerous condition related to the sump pump basket cover.



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