



**David Mincer**

## **Summary Judgment granted by Circuit Court of Wood County, WV**

In the case of Cross v. AVI Food Systems, David J. Mincer as Local Counsel and Franz Ward as National Counsel were granted summary judgment by the Circuit Court of Wood County, WV in a slip and fall case. A customer other than Plaintiff had spilled a soft drink on the floor at the cafeteria at WVU-Parkersburg operated by AVI Food Systems. The cashier within a few minutes mopped the area and put up a “Caution: Wet Floor” sign. The Plaintiff was walking through the area and walked within one foot of the wet floor sign and then fell with the spill area that had been mopped.

The Court properly found that it was an open and obvious hazard and granted Mr. Mincer’s client summary judgment prior to trial.