

Slippery floor proves to be slipperier lawsuit for plaintiff

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Photo: Submitted Photo

A man who slipped and fell mere inches from a wet floor sign inside the Montgomery County Courthouse back in 2013 lost a lawsuit against the county. David Lanoue was walking in the

courthouse in October 2013 as custodial staff were mopping the floor. The staff had placed a sign indicating that the floor was wet, as the workers had just placed a wax sealant on the floor moments before. Lanoue, walking around the bright yellow sign in the middle of the hallway, slipped on the floor and fell, causing some serious injuries that required surgery.

About two years later, Lanoue filed a lawsuit against the county, claiming that the wet floor sign he had to walk around was insufficient in warning him that the floor was dangerous to walk on. "They had put that out there just like they're supposed to," Montgomery County Attorney J D Lambright said. "Those signs are made with a person falling on the sign. You see these signs everywhere."

The county filed a motion in the suit essentially asking the court to throw out the case, although the visiting judge in the 284th state District Court agreed to let it go forward in May 2016. A month later, the county filed an appeal to that judge's ruling to the 9th Court of Appeals in Beaumont. After arguing the case before the court, the suit was tossed out in December 2016.

"You can spend tens and hundreds of thousands of dollars on a case like this if we hadn't filed that accelerated appeal," said Lambright, citing the costs for expert testimony and other expenses. "The guy did injure himself. There's no question about that. He injured himself in this fall, but you should not be able to hold Montgomery County liable if the county had done everything they should do."

Lanoue's attorney was unavailable for comment.