

Bond Case Briefs

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LIABILITY - LOUISIANA

Klumpp v. Ochsner Clinic Foundation

Court of Appeal of Louisiana, Fifth Circuit - December 18, 2024 - So.3d - 2024 WL 5151093 - 24-175 (La.App. 5 Cir. 12/18/24)

Pedestrian and his wife brought action against health clinic to recover damages from injuries that pedestrian allegedly sustained when he tripped on the concrete base of a handicap sign, which was elevated and encroached upon the sidewalk, and fell in the clinic's parking lot.

The District Court granted clinic's motion for summary judgment. Plaintiffs appealed.

The Court of Appeal held that:

- Under risk/utility balancing test, sign base was not an unreasonably dangerous condition, and
- Clinic was not liable for pedestrian's premises-liability claim.