



Defense Lawyers
Association

February 2017 Verdict

Submitted By **Ada B. Priest**
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Court State Court

County Bernalillo County

Judge Judge Nan Nash

Defense Counsel Ada B. Priest and John Lovelace

Plaintiff Counsel Tyler Adkins and Heather Hansen

Trier 12 Person Jury

Style *Samuel Montoya v. Albertsons LLC et al, D-202-CV-2013-09368*

Statement of Facts

Mr. Montoya alleged Albertsons was negligent as a result of injuries he sustained when he was pursued by a vehicle through an Albertsons parking lot, struck by the vehicle and robbed. Montoya sustained injuries, including multiple leg fractures, that required surgery and rehabilitation. His medical damages were in excess of \$100k.

Montoya claimed Albertsons was negligent for (1) failing to keep its premises safe for visitors; (2) inadequate security measures, and; (3) deficient reporting policies. The case was based upon the assertion that a history of other crimes at or near the location of the Albertsons store rendered the facts of this case as reasonably foreseeable. At trial, Montoya sought \$1.5 million.

The jury rejected this argument finding in favor of Albertsons.

Verdict Defense

Experts Timothy Zehring, Plaintiff
Patrick J. Murphy, Defense
