

Salvatore Siragusa Jr. : Statement of Claimant
vs. : HJ Resolution 82
State of Connecticut :
:March 21, 2010

CLAIMANT'S STATEMENT

1. This is a claim for personal injuries sustained when the claimant fell upon water present on the floor of the Department of Motor Vehicles facility at 540 Main Avenue, Norwalk, Connecticut on March 6, 2009. At the time of the accident, the Claimant was utilizing crutches due to a surgery of a few weeks prior. It was in fact his crutches which slipped on the wet floor, causing the Claimant to fall to the ground. Claimant takes the position that the respondent failed to make adequate inspection of its premises, and failed to take necessary and prudent measures to prevent the accumulation of water on the floor on a rainy day, which March 6 2009 was, and failed to remedy the water on the floor after it had accumulated. The claimant had undergone foot surgery a number of weeks before the incident, and was utilizing crutches at the time of the incident. He suffered trauma to the foot, a refracture of the fourth metatarsal, setting back the healing process of the surgery, and further sustained a MERSA infection of the same foot, requiring extensive hospitalization and surgery. He seeks monetary damages.

2. The claimant sustained \$28,605.34 in medical expenses. Having just recently lost his job, he was delayed in obtaining other employment for close to one year.

3. The defendant took the position at the hearing that there was no liability because there were mats on the floor at the time of the accident. There was dispute between the parties as to the number of mats and their placement. Also, the claimant contends that there was water on the floor between places where there were mats, and that his crutches went beyond the width of the mats.

4. The testimony of one of the state's witness, the branch manager of the facility, was that they had been short staffed that day, and that the person in charge of mopping the facility had been out for a few hours that morning on a personal appointment. That individual also testified, indicating that he had only been at the facility that day from 11:00 – 11:30, then took a lunch break, and then left for vacation at 1:00 P.M. Claimant's accident had taken place at approximately 1:00 P.M.

5. The accident report written by the branch manager indicated wetness on the floor where the claimant fell.

6. Based upon the foregoing, the decision of the Claim's Commissioner to deny permission to the Claimant to sue the State in a court of law was unjust, on contrary to the facts adduced at the hearing. The claimant clearly made out a prima facie case of negligence, and should be allowed to have the case heard in court before a jury.

7. Wherefore, the claimant respectfully requests permission to sue the State, or, in the alternative, for an order of judgment of \$7,500.00.

The Claimant
Salvatore Siragusa Jr.
By his Attorney
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