

## ■ \$125,000 SETTLEMENT

# Auditorium fall yields \$125,000 settlement

**PERSONAL INJURY**

- **Venue:** St. Louis County Circuit Court
- **Case Number/Date:** 155L-CC00601/Sept. 2, 2016
- **Caption:** Sally Anderson v. Centene Corporation
- **Plaintiff's Attorney:** Gary K. Burger, Burger Law, St. Louis
- **Defendant's Attorney:** Paul Petruska, Law Office of Craig A. Hansen, St. Louis

**BY DAVID BAUGHER**  
*Special to Missouri Lawyers Media*

A woman injured during a fall in an auditorium will receive a \$125,000 settlement from its owner in a case centering on a gap next to the stairs.

"Her foot went between the step and the seat," said Gary Burger of Burger Law. "She fell sideways breaking her tibia and fibula and had surgery with pins and screws at that level."

Burger's firm represented plaintiff Sally Anderson in her suit against Centene Corp., owner of the Clayton facility where the mishap occurred. The suit said the open space presented an unsafe condition and should have been filled in. It noted that Anderson's fibula had a five-inch fracture.

An initial letter from the insurer, provided by Burger, said its investigation did not indicate any liability on the part of the insured. It contended there was no indication of a tripping hazard that might have



**Gary K. Burger**

"We kept going until we persuaded them of the wisdom of our position," noted Burger who said he felt the six-figure recovery was a good one given paid medical expenses of less than \$10,000 in the case.

Burger indicated that during deposition questioning he got the defendant's engineer to say the row might have been safer without the gap at the end.

"They knew that they had elderly people, blind people, all kinds of folks coming into that type of a public forum. This was a dangerous condition for people," Burger said.

He also said Centene later filled in the gap in question.

"We got this changed," he said.

Burger said that he felt the case showed the importance of aggressively litigating a matter rather than accepting initial findings from an insurance company.

Paul Petruska of the Law Office of Craig A. Hansen, which represented the defen-