



# Keegan & Keegan, Ross & Rosner, LLP

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## **\$150,000 from Bar Where Patron Was Assaulted**

Keegan & Keegan, Ross & Rosner LLP obtained a \$150,000 settlement for a 29 year old man who was assaulted while visiting Long Island from his home in Ontario Canada. He was at a local restaurant/bar in Sag Harbor on a summer evening in 2003 when a brawl broke out resulting in injuries including getting a severe bite on his nose.

Led by partner Daniel Ross, the attorneys and the staff at Keegan & Keegan, Ross & Rosner LLP fought repeated motions and delays throughout the time the case was pending and recently negotiated a \$150,000 award for the client. The bar settled when Dan was able to establish that the doorman and other bar employees failed to follow proper protocol in attempting to quell the disturbance.

Bars and other establishments that serve alcohol have responsibilities under certain legal requirements commonly known as DRAM SHOP LIABILITY that generally arise from serving minors or patrons who are - or even appear to be - intoxicated. By showing responsibilities even beyond the DRAM SHOP liability, the firm developed facts that would have placed the bar in a position of significant responsibility if they did not settle.

Not surprisingly, the bar's insurance company and its attorneys tried every maneuver to avoid owning up to its responsibility. This was met with the dogged determination the firm is known for and when they saw a jury would soon be telling them how much to pay, settled the case.

"We are not done yet" Dan is quoted as saying when he delivered the client's recovery check to him. "Although we made the bar pay fair compensatory damages, the claim for punitive damages remains open and we will proceed against the assailant!"

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