

SUMMARY STATEMENT

Johnson v. Wal-Mart Stores, Inc., Docket No. 45306

This is a premises liability case concerning whether a retailer is negligent for failing to warn a customer about potential spills. The case began when Michael Johnson suffered injuries after he slipped and fell on a liquid while walking in the housewares department of a Wal-Mart store. Johnson knew neither the source of the substance, nor how long it had been on the floor. Additionally, none of Wal-Mart's surveillance cameras captured the initial spill or Johnson's fall. Johnson filed a complaint alleging Wal-Mart, which has issued an internal statement to its employees that spills are largely responsible for slip/trip/fall accidents in its stores, was negligent for failing to warn him of the potential for spills. Johnson claims that the store's business practice of allowing patrons to carry liquids throughout the store should have put Wal-Mart on notice that spills were foreseeable anywhere. Wal-Mart filed a motion for summary judgment based on its lack of actual or constructive notice of the spill. The district court granted summary judgment in favor of Wal-Mart. The Idaho Supreme Court affirms.