

MASSACHUSETTS LAWYERS WEEKLY

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Man injures knee colliding with canine at dog park

Requires two years

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The plaintiff was injured by the defendant's dog at a dog park.

According to the plaintiff, he was standing in an open field when the defendant's dog ran directly at him at high speed and hit him in the left knee with his head. The plaintiff said he did not see the dog coming, nor was he warned by the defendant of the dog's approach.

The plaintiff suffered injuries to his left knee, including a torn medial collateral ligament, torn anterior cruciate ligament and multiple impaction fractures. He underwent medical treatment for more than two years, which included ACL reconstruction surgery, left knee arthroscopy, chondroplasty notch debridement and limited synovectomy, followed by two years of physical therapy. He also suffered a stress fracture of the right foot and wore a walking boot for two months.

The plaintiff contended that the defendant was liable to him for his injuries pursuant to G.L.c. 140, §155, which states: "If any dog shall do damage to either the body or property of any person, the owner or keeper ... shall be liable for such damage, unless such damage shall have been occasioned to the body or property of a person who, at the time such damage was sustained, was committing a trespass or other tort, or was teasing, tormenting, or abusing such dog."

Detailed Information

Type:	Settlement
Total Value:	\$375,000.00
Verdict/Settlement Date:	9/15/2015
Type of Action:	Negligence & Tort
Type of Action Description:	Massachusetts General Law, chap. 140, sec. 155
Court:	Confidential
Case Number:	Not filed
Caption:	<i>Confidential v. Confidential</i> Plaintiff(s) v. Defendants(s) Confidential Confidential
Injuries Alleged:	Leg, knee, ankle, foot
Injuries Detail:	Plaintiff was injured by defendant's dog at a dog park as a result of the impact of the defendant's dog's head directly into plaintiff's left knee. Plaintiff's injuries included but were not limited to a torn MCL, torn ACL and multiple impaction fractures of the left knee.
Special Damages:	medical expenses totaled \$45,552.00.
Tried Before:	Jury
Judge or Mediator or Arbitrator:	Not Specified

Attorney(s) for Plaintiff(s)

No plaintiff attorneys

Attorney(s) for Defendant(s)

No defendant attorneys

Insurance Carrier(s)

No insurance companies involved

Plaintiff(s) Expert(s)

No plaintiff experts

Defendant(s) Expert(s)

No defendant experts