

Mom sues Milford for \$130K

By Danielle Ameden/Daily News staff

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MILFORD —

A Milford mother is seeking more than \$130,000 in damages from the town after she said she broke a toe while at her daughter's swim practice at the high school in 2007.

Julie Rippy says the town's negligence led her to fall on an unlit stairwell and twist a leg when a fire alarm went off and pool employees directed spectators toward the exit.

Rippy claims she fractured her little toe.

The injury has cost Rippy more than \$127,000 in lost wages, nearly \$1,400 in hospital expenses and nearly \$1,980 in doctor expenses, according to a report she filed recently with her lawsuit in Worcester Superior Court.

Town Counsel Gerald Moody said Rippy and her attorneys had previously tried to settle with the town over damages, but negotiations ended in a stalemate.

The town has 20 days from Nov. 24 to answer the court complaint.

"The town's position is we'll evaluate the case, and deal with it," Moody said.



PDF: Complaint against Milford

Rippy was sitting in the observation deck at the high school pool on Feb. 2, 2007, when the fire alarm went off, according to the complaint. Rippy followed instructions to exit via a staircase on the south end of the observation deck.

"The stairwell was in total darkness," the complaint reads.

Rippy missed a step while going down and twisted her leg.

The complaint charges the town with failing "in their duty to properly warn spectators the darkened stairwell did not have functioning lights."

In addition, the town failed to properly maintain the stairwell, which caused a "hazardous condition that would be (reasonably) foreseeable that a person could fall," the complaint reads.

Rippy's injury caused her "pain and suffering, medical bills and loss of earning capacity," the complaint reads.

Her claims total \$131,050.

"The court system will ultimately make a decision, whether it's a bench trial before a judge or a jury trial," Moody said.

Reached at her Elizabeth Road home yesterday, Rippy referred comment to her lawyer. **She is represented by Milford attorneys Louis J. Noferi and James P. Hentz, both of whom declined to comment last night.**

Milford High Principal John Brucato doesn't recall ever hearing about the 2007 incident or fielding any complaints about inadequate lighting.

"I just know that if there's an issue, we address it, and this is the first I'm hearing of it," Brucato said.

The pool is used by the school's swim teams and by the public, he said.

Brucato described the area as one of the best-kept in the building in terms of handicapped accessibility and upgrades. He said he is unaware of the conditions of the stairwell in question.

Danielle Ameden can be reached at 508-634-7521 or dameden@cnc.com.