

Woman suing town over broken toe



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MILFORD —

A former Milford woman, who filed a \$130,000 lawsuit against the town over a broken toe, returned yesterday to give a deposition.

As part of the case's discovery process, Julie Rippy met privately for the proceeding with Town Counsel Gerald Moody, her attorneys and a court stenographer in a conference room at Town Hall.

Rippy, whom Moody said has moved to Kansas with her family, has alleged the town's negligence led her to fall on an unlit stairwell at the high school in 2007 while she was attending her daughter's swim practice.

In a complaint filed last year in Worcester Superior Court, Rippy claimed she twisted a leg when a fire alarm went off and pool employees directed spectators toward the exit. She claimed to have fractured the little toe on her left foot and was seeking more than \$127,000 in lost wages, nearly \$1,400 in hospital expenses and nearly \$2,000 in doctor expenses.

After yesterday's deposition, Rippy and her attorneys Louis J. Noferi and James P. Hentz declined to comment on the case.

Citing the pending litigation, Moody declined to discuss the case's specifics or how the deposition went.

"It's in discovery, everything is on track," Moody said.

However, "it could be theoretically years before there's ever a trial," he said.

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

In her complaint, Rippy said the stairwell at the school was "in total darkness," and she missed a step while going down.

She 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," according to the complaint. She is seeking \$131,050.

She formerly lived on Elizabeth Road in Milford.