

Volunteer Thrown From Golf Cart

In May 1997, Sandra Cosby offered to volunteer at a charity golf tournament. The tournament was being sponsored by a restaurant in Palm Beach County. Sandra was assigned to monitor one of the holes during the tournament. The owner of the restaurant, who was sponsoring the tournament, offered to take Sandra and another volunteer to their assigned holes on her golf cart. Because the golf cart had only two seats, Sandra stepped on the back of the golf cart and held on for the ride. The restaurant owner stepped on the gas pedal and initiated a quick and sudden turn. Sandra was thrown off the back of the cart and onto the asphalt pavement where she struck her head. Sandra suffered a significant head injury which ultimately resulted in partial paralysis to the right side of her face.

Suit was filed against the restaurant owner because it was determined that she was acting in the course and scope of her employment at the time of the incident. Suit was also filed against the lessee/operator of the golf course because the golf cart was leased for the tournament. It was determined that the lessee was responsible for the operation of the golf cart under the doctrine of dangerous instrumentality.

The case was settled in May for \$1 million. Attorneys Jack Scarola and William King represented Sandra and her husband. The money will be used to help defray the cost of the medical bills Sandra has incurred because of the accident. ■