

## Florida Jury Awards Alcohol Related Pool Party Injury \$5.6 Million Verdict



A Florida jury awards \$5.6 million for a spinal cord injury sustained during an alcohol-fueled pool party at the Retreat in Gainesville. According to the Complaint, the Defendant, Retreat at Gainesville, LLC, hosted a St. Patrick's Day event and provided free beer at the Retreat on March 17, 2017.

Massey was not asked for identification when he arrived at the pool party, Although he was underage, Retreat employees encouraged him to consume beer from unmanned kegs placed around the pool.

Witnesses testified that underage drinking was common at The Retreat Gainesville pool parties. Despite warnings to management by a community ambassador, nothing was done to control or monitor underage drinking during the pool parties. Testimony revealed employee focus was limited to prohibiting glass in the pool area rather than curtailing underage drinking.

Massey sued University Chevron, the Retreat at Gainesville, and Top Tier Entertainment. Ultimately, Top Tier Entertainment was released from the case via summary judgment before trial.

Massey's counsel initially made a social host liability claim against the Retreat. However, the judge ruled the social host liability law did not apply because the pool area was not considered residential premises.

Massey's counsel argued that the Retreat provided alcohol to Massey, a minor, without checking for identification. Counsel argued the Retreat created an environment that encouraged guests to drink. To support this argument, counsel presented promotional materials and videos that the Retreat filmed during previous parties on the premises depicting wild free-for-alls.

Massey's counsel argued inadequate supervision was lacking at the party. Counsel claimed the retreat knew there were drunk people near the swimming pool and should have hired a lifeguard to patrol the area.

Massey's counsel retained Dram Shop Expert [Preston Rideout](#) to opine on pool party operations, responsible alcohol service, and security risk management techniques to prevent alcohol-related pool party injuries.

The jury found University Chevron, Retreat at Gainesville, and Massey himself were all responsible for Massey's injuries assigning 20% liability to the Retreat, 30% to University Chevron, and 50% to Massey.

### **According To The CDC**

The fact is that alcohol consumption negatively impacts a person's self-control. Drinking makes it easier to have falling accidents and slippery, wet surfaces increase the likelihood of falling even more. Drinking also makes it more difficult to exercise good judgment. Many risky behaviors, like binge drinking, may seem like a good idea after a few beers.

America's Centers for Disease Control (CDC) will tell you: pool parties and drinking don't mix. In fact, alcohol consumption around bodies of water is so dangerous, the CDC's website advises people to refrain from drinking even while simply supervising children. The best advice is simply to never drink alcohol when doing anything recreational and fun with water.

### **About The Author:**

Preston Rideout is a nightclub and bar expert specializing in Dram Shop Expert Witness Testimony. He is the CEO of Rideout Hospitality and Founder of The Dram Shop Experts. Due to his 25 years of alcohol service experience and 75 alcohol safety certifications, Preston Rideout considered the leading alcohol service and bar operations expert in the legal industry. For more pool party safety, security and industry standard operating procedures information please contact Preston Rideout through Juris Pro