



\$590K for Child Injured in Play Area

Edwards v. QQR: The parents of a 5-year-old boy who suffered permanent injuries in a Burger King indoor playground agreed to a \$590,000 settlement in their Union County suit on Oct. 14.

The suit claimed Zackary Edwards was injured while visiting the Burger King in Eatontown with his father and two siblings on April 16, 2014. Following posted rules, the children removed their shoes and played in their socks. Zackary fell and broke his femur when one of his feet slipped on a ceramic tile floor while the other foot was planted on a rubber safety mat.

According to the suit, the architect who designed the indoor playground called for nonslip safety flooring throughout, but during construction a substitution was made for ceramic tile that was partially covered by the rubber mat. The combination created a serious slip danger and uneven transition, the plaintiff asserted.



CHRISTIAN McOMBER
COURTESY OF CHRISTIAN McOMBER

Zackary was confined to a partial body cast for three months, required the use of a walker, and was forced to repeat kindergarten because he could not attend school, said plaintiff lawyer **Christian McOmber**. His left leg is 2 centimeters shorter than the right, which may require surgery in the future. He suffers limited mobility, chronic pain and fatigue associated with his injury and has difficulty walking or running for long periods, McOmber

said. In addition, he was eager to participate in sports but was not medically cleared to do so until January 2016, which was one year and eight months after the fall, he said.

Evanston Insurance Co., the insurance carrier for defendant QQR of New Jersey, owner and operator of the Eatontown restaurant, will pay the \$590,000 settlement, said McOmber, who is with **McOmber & McOmber** in Red Bank. McOmber was assisted by **Elizabeth Matecki, Matthew Luber** and **R. Armen McOmber**.

James Graziano of **Graziano, Piasecki & Whitelaw** in Green Brook, who represented QQR, did not return a call about the case.

— **By Charles Toutant**

