

RYAN BOOTH

v.

AMIGOS MEXICAN RESTAURANT, INC.

Argued March 5, 2025
Decided March 13, 2025

Panel: STANFILL, C.J., and MEAD, HORTON, CONNORS, LAWRENCE, and DOUGLAS, JJ.

MEMORANDUM OF DECISION

Amigos Mexican Restaurant, Inc., appeals from a judgment entered by the Superior Court (Cumberland County, *Cashman, J.*) following a jury trial resulting in a verdict for Ryan Booth on his negligence claim and an award of damages for injuries he sustained in a parking lot adjacent to the restaurant. Amigos argues that it did not owe a duty of care to Booth, or alternatively, that it did not breach its duty to Booth, and that the court erred by denying its renewed motion for judgment as a matter of law pursuant to M.R. Civ. P. 50(a) following the close of evidence.

We conclude that a reasonable view of the evidence in the light most favorable to Booth could sustain a finding of negligence. *See Jones v. Route 4 Truck & Auto Repair*, 634 A.2d 1306, 1309 (Me. 1993). The court did not err in determining that Amigos owed a duty to Booth, and competent evidence existed to show that Amigos breached that duty. Therefore, the court did not err in denying the motion for judgment as a matter of law.

The entry is:

Judgment affirmed.

Peter E. Rodway, Esq., and Peter E. Rodway Jr., Esq. (orally), Rodway & Horodyski, P.A., Falmouth, for appellant Amigo's Mexican Restaurant Inc.

Thomas L. Douglas, Esq. (orally), Douglas McDaniel & Campo LLC, North Yarmouth, for appellee Ryan Booth

Cumberland County Superior Court docket number CV-2021-51
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