

Deane and Mattus Secure Summary Judgment Victory in Products Liability Case

[Lyndsey Mattus](#) and [Devin Deane](#) recently secured summary judgment in *Johnson v. CedarWorks, Inc.*, Docket No. ROCSC-CV-2023-00016--a products liability case pending in Knox County Superior Court. The plaintiff did not appeal the Court's entry of summary judgment resulting in a final, undisturbed win for CedarWorks, an excellent family business in Mid-Coast Maine.

The case involved an organic, wooden playset that had been donated by CedarWorks to a local Montessori school. The plaintiff claimed that the elastic cord on one of the playset's manipulative play devices, the CedarFone (a wooden phone made to emulate a corded phone and allow for interactive play), was misused in a manner that caused the "Fone" to come into contact with her head causing injury.

After years of litigation, including testimony from a highly-qualified playground safety expert and application of international playground safety standards, Attorneys Deane and Mattus challenged the merits of the plaintiff's claim by filing for summary judgment on the extensive record in the case, and challenged the plaintiff's ability to prove that the CedarFone, and specifically its elastic cord, proximately caused her alleged injuries. The Court agreed and entered summary judgment in CedarWorks' favor without the need for trial.

In its well-penned decision, the Court held that the plaintiff had not produced evidence sufficient to prove that the elasticity of the CedarFone's cord attached the handheld "Fone" to the receiver caused her alleged head injury and years of sequelae. After considering evidence from expert engineer witnesses, the Court determined that it would be "speculative" and unreasonable for a jury to conclude that the elasticity of the Fone's cord caused Plaintiff's injuries.

For more information, please contact [Lyndsey Mattus](#) or [Devin Deane](#).