

## FALL FROM 3' HIGH SPEAKER BOX PLATFORM AT NIGHT CLUB

### Architectural Professional Liability

A patron at a nightclub climbed up on top of a 3 foot high speaker box platform and danced off the edge. Many people were sued. The club was a tenant at a Trade Center Development. We were engaged after it was claimed that the developer's architect, who reviewed the tenant drawings for the club, should have required guard rails around the top of the platform.

The defendant architect was a large firm who had been responsible for the overall design of the Trade Center. They also assisted the developer by reviewing design plans for tenant spaces. The nightclub and platforms had been designed by another design architect and the defendant architect reviewed the drawings submitted by the designer.

We reviewed the same drawings. Although the platform in question appeared on the construction drawings, an 18" high access "step" only appeared on an "interior furnishings" drawing. We showed how, based on the designer's drawing information, that the defendant architect could not have concluded the platform was to be accessible as part of the dance floor.

We then described the standard of care for an architect performing these services: reviewing tenant drawings at a project of this sort. This includes evaluating ADA compliance, egress, fire safety, and design conformity with the "Trade Center" Guidelines. It did not include questioning the designer or tenant to see if they intended patrons to dance on speaker enclosures.

We helped the defendant architect's attorney prepare to depose the Plaintiff's architectural expert, and he was able to elicit admissions that the defendant architect had not breached any applicable standards of care. The defendant architect was released for a nominal, nuisance-value amount while other parties paid a structured settlement in excess of \$5.25 million.

*For more information please contact one of our experts in the following groups:*

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