

Jury awards \$90,000 to woman in Bell County

A Bell County, Texas, jury on Thursday, October 23rd, 2008, returned a verdict for approximately \$90,000.00 against Texas Roadhouse and in favor of Angelia Bishoff who claimed that she had slipped on a peanut in the Temple restaurant and broken her knee cap into three pieces. Surgery was required and medical bills totaled \$36,000.

After deliberating for four hours the jury returned a total verdict of \$185,500 , but found Angelia Bishoff and Texas Roadhouse each to be 50% negligent. Consequently, the verdict amount will be reduced by half, but court costs and prejudgment interest will be added in.

Ms. Bishoff was represented by Vic Fezell and James Twombly of the Law Offices of Vic Fezell in Austin and Waco, Texas.

Fezell, who was lead trial counsel in the case, is the former District Attorney of Waco Texas who angered the FBI and Texas Rangers in 1986 when he blew the whistle on the Henry Lee Lucas confession hoax resulting in Fezell's arrest and subsequent acquittal on all charges. Fezell was re-elected District Attorney while still under indictment. He filed a libel suit over the incident and received a Fifty-Eight Million Dollar verdict from a Waco jury in 1991. Besides having tried six capital murder cases, Fezell holds the record for the largest jury verdicts in both Bell and McLennan counties.

Fezell and his law partner Austin Tighe recovered a nine million dollar jury verdict in a Dallas County courtroom last year against computer company M&A Technology in favor of iValue Group , a web based virtual inventory retail company, and its CEO Julian Ross , all from Dallas .

Fezell said he was pleased with the Bishoff verdict. "I think this is the first slip and fall case that Roadhouse has ever lost to a jury," he said.

Defense counsel was Mark Stratton and Derik Flynn of Shannon Gracie in Austin.