

Pumpkin patch sued over broken leg

By KELLY NIX

A PUMPKIN patch on Rio Road is the target of a lawsuit by the parents of a 9-year-old girl they say broke her leg last October while going down a 20-foot inflatable slide at the patch.

Peter and Sidra Davi are suing Del Monte Pumpkin Patch for injuries they say occurred after she struck a “bump” on the face of the slide.

“The bump or raised obstruction,” according to the lawsuit filed Jan. 7, “caused both the [girl] and her brother to be wildly launched several feet into the air and to come into a violent and forceful collision with the face of the slide upon landing.”

Besides selling pumpkins and other items, the patch offers a chance for parents to pay a \$10 fee to let their kids play on bounce houses, slides and other play structures, according to the suit.

The girl, identified only as E.D. in the lawsuit, was taken to Community Hospital of the Monterey Peninsula for treatment before being taken by ambulance to University of San Francisco Medical Center for a procedure under anesthesia to set her broken leg, the suit says.

As a result of the accident, the girl has

suffered severe, permanent and debilitating injuries and extreme pain, according to the complaint, filed for the Davis by Monterey attorney Charles Albert Piccuta.

The girl’s brother received an injured thumb on the slide, which had a rope ladder for kids to reach the top.

Though it isn’t mentioned in the lawsuit, Del Monte Pumpkin Patch has required parents to sign liability waivers before allowing children into the play area.

The Davis, who are seeking damages of more than \$25,000, allege product liability, negligence, manufacturing defect and a failure by the pumpkin patch owners to warn users of the “lurking dangers” of the inflatable slide.

“Del Monte Pumpkin Patch knew, or should have known, that the subject slide could propel users in the dangerous manner in which it did,” the suit says.

Also listed as defendants in the lawsuit are the unnamed manufacturer of the slide, the unnamed supplier who sold it to Del Monte Pumpkin Patch, and The Crossroads Carmel — which the lawsuit says owns the land where the pumpkin patch was located.

A phone message left Wednesday for management of the Crossroads was not returned.



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