



## The Voice

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### And The Defense Wins

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On September 12, 2016, a civil jury in Supreme Court, Putnam County, found that Thunder Ridge Ski Area was not responsible for an accident that occurred to Patrick O'Mara while he was skiing at Thunder Ridge Ski Area on February 6, 2014. Mr. O'Mara of Brewster, New York, and Roxbury, Connecticut, had sued Thunder Ridge Ski Area, saying that the Ski Area had improperly maintained their trails and established a dangerous condition by failing to mark snow guns on an expert trail at the facility.

The plaintiff contended that he suffered a serious leg fracture that required surgical procedures and plating, and that he had become permanently disabled as a result of the accident. The Ski Area contended that the plaintiff failed to stay in control while he was skiing on the expert trail and was engaged in racing with his cousins, Martin McGrath and Sean McGrath of Putnam County, and therefore, collided with a snow gun that was properly marked and clearly visible on the trail.

The trial was conducted before Hon. Paul Marx (Supreme Court Justice) and the jury deliberated for one and one-half hours before reaching its verdict on behalf of Thunder Ridge.

Thunder Ridge was represented [Matthew J. Kelly](#) of **Roemer Wallens Gold & Mineaux LLP** in Albany, New York, and the plaintiff was represented by Gregory Bagen, Esq. of Brewster, New York.

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