

# That's the Way the House Bounces

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Last month our office had our annual summer picnic at our office. We had burgers and brats. Because we sponsored the Mile of Music, we were treated to a private concert performed by the uber-talented Kyle Menga. And to cap it all off, we watched the Appleton fireworks on our lawn.

For the kids, there were games and prizes and an awesome bounce house. Thankfully, the kids took turns and bounced responsibly, so there were no injuries. Not everyone is quite as lucky.

Last Memorial Day, Fort Lauderdale held a holiday celebration at the city's Beach Park. As part of the fun, the city rented a bounce house from All Star Events of Miami Lakes. During the festivities, the National Weather Service in Miami reported that high pressure caused scattered showers over the ocean to move onto shore. The showers quickly turned into a tornado with winds of up to 85 miles per hour. The tornado cut a 10-foot-wide swath and traveled 100 yards right through Beach Park.

Like a scene out of 'The Wizard of Oz,' the tornado lifted the bounce house an estimated 20 feet off the concrete basketball court where it was secured and tossed it onto the nearby sand. What's more frightening was that three children were in the bounce house at the time.

The children were brought to Broward Health Medical Center where they were treated for cuts and scrapes. In addition, Antonio Dent suffered a broken arm, Shadaja Bryant had a fractured wrist, and Shamoya Ferguson hit her head, so she stayed overnight for observation.

As a result of the incident, Shamoya and her mother, Tameka Liscombe, sued the city and All Star Events for damages. According to the suit, All Star Events was allegedly negligent in the way it assembled and secured the bounce house; it failed to monitor weather or warn users of any risks; it didn't train its personnel for emergencies; and it didn't supervise the kids.

The lawsuit also contends that Fort Lauderdale had a duty to provide a safe environment for guests at the celebration and should not have placed the bounce house on concrete basketball courts. Further, the city allegedly failed to test the bounce house for operation in windy conditions and it didn't inspect it or supervise All Star Events' personnel during operation of the house. Finally, the city was purportedly negligent for allowing Shamoya to remain inside while wind speeds increased.

Living in Wisconsin, we know how quickly a tornado can develop and what a force of nature it can become. Because of this, Shamoya and her mother will likely have an uphill battle to prevail. It is probable that neither the city nor All Star Events could have foreseen a tornado coming and no amount of securing would have likely helped prevent liftoff during a tornado. In addition, the kids' parents could have removed them from the bounce house if they were concerned about their safety.

All Star Events' attorney, Michael Sastre of Gray Robinson, said that although the bounce house was "very large and well-anchored," the water spout was "a freak occurrence, an act of God." Ironically, the day after the accident, Shamoya's father, Omar Ferguson, agreed, saying, "It's just an accident. Things happen."

Lawsuits over injuries sustained in bounce houses are prevalent throughout the country. While those responsible for the houses certainly could fail to operate them properly, bounce houses are inherently dangerous. So if your kids are playing in one, please look out for them.

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