

DOCKET NO. CV-08-5019395-S : SUPERIOR COURT
CARMEN SIU : JD OF HARTFORD
VS. : AT HARTFORD
A. DONG ORIENTAL GROCERY &
GIFT, INC., ET AL : JANUARY 18, 2010

ARBITRAL AWARD

After hearing the parties on Friday, January 15, 2010,
I find the following facts:

1. Plaintiff Carmen Siu testified with translation provided by Luz Squillante. No other witnesses testified.
2. Defendant A. Dong Oriental Grocery & Gift, Inc. sold a "Rabbit" brand thermos to Plaintiff. The contents of the thermos was extracted by pushing on a button that would cause the liquid to come out through a downward angled nozzle.
3. Defendant Kam Kou Trading Corporation either manufactured or distributed the thermos to Defendant A. Dong Oriental Grocery & Gift, Inc.
4. Plaintiff claims the thermos exploded, causing her first and second degree burns from the hot water contained

therein. Plaintiff also claims to have suffered scarring from these burns.

5. Plaintiff clearly has scars caused by burns. The medical reports do not mention scarring on the shoulder.

6. The arbitrator does not understand how the thermos exploded and caused Plaintiff's injuries.

7. No expert testimony was presented on what happened.

8. The bottom of the thermos was intact, which means the glass thermos bottle did not drop out of the steel container. It did not hit the floor and shatter.

9. The steel container was intact, meaning the glass shards did not travel through it to hit Plaintiff.

10. According the Plaintiff's own testimony, the thermos top was closed and she was carrying it at arm's length when it exploded. The top is still intact and was apparently not dislodged when the thermos exploded.

11. It does not appear to be possible for the top to be raised while the carrying handle is raised.

12. Plaintiff cannot explain how she got covered in hot water (nor the glass shards on her face). This water

reached the top of her right shoulder, which seems odd considering the thermos was being carried below this height.

13. None of the medical reports mention glass shards.

14. In light of the testimony as a whole, I conclude Plaintiff has not met her burden of proof regarding the cause of her injuries.

Judgment shall enter in favor of both Defendants and against the Plaintiff.

Dated at Meriden, Connecticut on this 18th day of January, 2010.

Houston Putnam Lowry
Arbitrator

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed on this 18th day of January, 2010 to:

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