



**BREAKING / Tumamoc hill reopens Memorial Day; Arizona reports 800 deaths; 172 in Pima County**

3 WEATHER ALERTS IN EFFECT

Elegant Themes  
**The Best New WP Theme**

OPEN

## KOLD FACT FINDERS

# Fact Finders: Can a customer prove they caught COVID-19 at a particular business?



FACT FINDERS: Can you see if you catch COVID-19?



By [Melissa Egan](#) | May 11, 2020 at 9:02 PM MST - Updated May 13 at 6:10 PM

TUCSON, Ariz. (KOLD News 13) - As more businesses and restaurants reopen in Southern Arizona, many of you may be paying more attention to who is and is not following public health guidelines.

So what happens if you get sick after stopping at a business?

"I'm seeing a real surge in calls on this," said [Marc Lamber](#), head of the Fennemore Craig personal injury department.

Lamber said he has been receiving calls from customers and employees related to allegations of contracting COVID-19 at a specific place.

### How would a consumer prove they caught COVID-19 at a particular business?

To have a valid negligence claim in Arizona, you need to establish four elements.

"The first element is the retail establishment had a duty to protect you from the COVID virus. The second would be that they breached the duty," said Lamber. "The third is that you were injured, meaning you contracted the coronavirus and then the fourth is, that their breach of the duty actually caused you to contract the coronavirus."

**How To Fix Car Scratches**  
This car gadget magically removes scratches and scuffs from your car quickly and easily.  
[NanoMagicStore.com](#)

Open >

Lamber said he believes that fourth element is the most difficult due to several factors, including the virus being widespread and highly contagious. Another factor is the amount of time some may have between exposure to the virus and showing symptoms.

"So you have that entire period of time that you would need to establish, it would be your proof, the injured person, you would bear the burden of proof, of proving you contracted the virus at that precise time at that precise location, that will be challenging," said Lamber.



82°

Currently in  
Tucson, AZ

FULL FORECAST

Sponsored By

Honda  
FINANCIAL SERVICES

## AUTHOR

### Melissa Egan

Tucson



From the Sunshine State, Melissa grew up in Cooper City, Florida, a suburb of Ft. Lauderdale.

## RECENT CONTENT



### TRAFFIC: Where to watch for road work across Tucson, southern Arizona

List of active road projects in the Tucson area.

By **KOLD News 13 Staff**



### Arizona reports 806 deaths from COVID-19; 173 deaths in Pima County

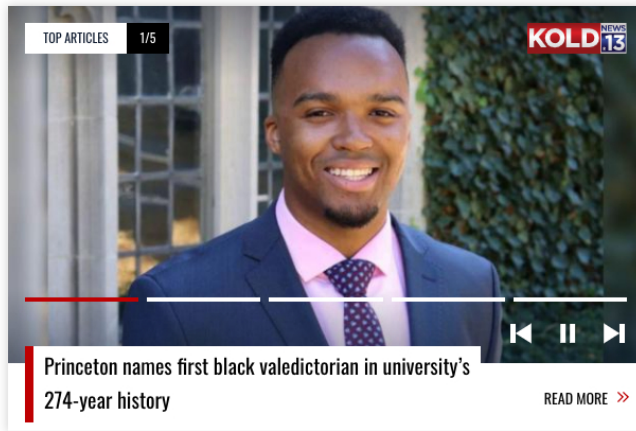
As the coronavirus spreads across the country, KOLD News 13 is keeping tabs on the cases in Arizona.

By **KOLD News 13 Staff**

Lamber said an individual could sue for damages in the civil claim, which would be how contracting the virus impacted his or her life.

Personal injury claims will not be the only litigation to come with COVID-19, Lamber said. He expects to see, and is already seeing in some cases, worker's compensation claims, businesses filing lawsuits with insurance companies and contract lawsuits.

Copyright 2020 KOLD News 13. All rights reserved.



#### Sponsored Stories



[Pics] This New Dog Breed Is The Cutest In The World

Ice Pop



[Photos] She Never Got Married, and Now We Know Why

Graduatez



Closing Time: Here's All the Restaurant Chains Closing in 2020

Investing.com



[Photos] Filthy Hygiene Habits From The Old Wild West

Graduatez

#### Several Memorial Day services canceled as ceremonies move online

Published 4h at 5:41 AM



#### Several Memorial Day services canceled as ceremonies move online

Published 4h at 5:41 AM



#### Kitten with two faces dies days after birth

Published May 24, 2020 at 8:08 PM



#### TPD investigates fatal ATV collision in Tucson's south side

Published May 24, 2020 at 5:55 PM



#### Arizona State Parks busy for Memorial Weekend

Published May 24, 2020 at 5:40 PM



#### Sponsored Stories



8 SUVs So Cool Its Hard To Believe They Cost Under \$25K. Search Luxury SUV Reviews

Yahoo! Search



Arizona Drivers With No DUI's Getting A Pay Day on Monday

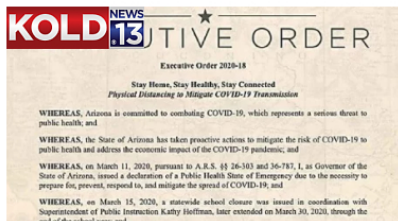
Comparisons.org



Low Income Senior Living Near Phoenix - Here's the Cost

Yahoo! Search

#### Recommended For You



#### Sponsored Content

- Have student loans? We have some good news

NerdWallet

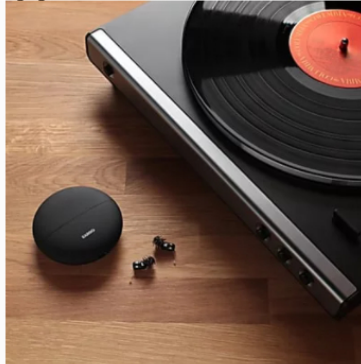


Request a Free Fit & Feel Sample Today

[Learn More](#)

#### We Recommend

- Tons of sanitizer: Retailer charged with hoarding, gouging



Comfortable, Rechargeable, and Virtually Invisible

[Learn](#)