

Applebee's appeals jury award to Derry man over food poisoning

By PAT GROSSMITH
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CONCORD — Applebee's restaurants is appealing a \$750,000 jury verdict awarded to a Derry man who said he suffered food poisoning after eating at the Concord restaurant in 2014.

Brandon Stachulski, 28, suffered permanent gastrointestinal problems from salmonella poisoning, the result of eating a hamburger at the restaurant, according to his attorney B. J. Branch of Backus, Meyer & Branch in Manchester. Branch said Stachulski had gone to dinner with his fi-

ancee and her brother.

He and her brother both had hamburgers. Branch said seven hours later, Stachulski became sick; his fiancée's brother became ill 20 hours later.

Stachulski suffered liver failure and was hospitalized for three days. He recovered but was left with

permanent gastrointestinal problems, according to Branch.

The case was heard in Rockingham County Superior Court and after a four-day trial last November, the jury issued a \$750,000 verdict.

Apple New England, which owns the store in

Concord, filed an appeal last week with the New Hampshire Supreme Court on legal grounds, including whether Stachulski's expert witness testimony was permissible and whether Stachulski proved all components for a jury to award damages.

"I am very optimistic of

the likelihood of prevailing," Branch said. "There wasn't a lot of divisive testimony, just two differing experts' testimony."

Applebee's was represented by Attorney Michele Sears of Wilson Elser in Boston. She could not be reached Friday for comment.