

On a sunny day, Ramage was walking on a sidewalk in front of the Defendant's Roses Express store. (Docs. 8 ¶¶ 1-2, 6; 8-1 ¶ 2; 11 at 22:13-22, 91:25-92:7). Sometime before that, the Defendant's employee had watered plants on display in front of the store and had dutifully placed a sign warning the public that the sidewalk was wet. (Docs. 8 ¶ 12; 8-1 ¶¶ 5, 15). Ramage does not contend that the wet sidewalk caused her to fall; rather, she contends that the wet floor sign caused her to fall. (Docs. 8 ¶ 2; 11 at 73:5-6, 86:2-15, 87:3-13, 91:13-15). The Defendant's surveillance video confirms this. (Doc. 8-4). Although Ramage agrees that the yellow wet floor sign was open and obvious and that she clearly should have seen it, she nevertheless contends that the Defendant should have warned her that the warning sign was present. (Docs. 8 ¶¶ 5, 10, 16-17; 11 at 84:23-85:6, 92:12-18). That's right, Ramage wanted a warning sign for the warning sign. In short, this case sounds like the warm-up joke for a defense lawyer's continuing legal education lecture. It's funny, but it's not a case for a jury. See *McLemore v. Genuine Parts Co.*, 313 Ga. App. 641, 644, 722 S.E.2d 366, 369 (2012) (affirming summary judgment for the defendant when the hazard was "open and obvious, and thus in the exercise of ordinary care, [the plaintiff] could have avoided it" and stating "[t]here is no duty to warn of the obvious" (internal quotation marks and citation omitted)).

The Defendant's motion is **GRANTED**.

SO ORDERED, this 23rd day of May, 2016.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT