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## Popular Charlotte restaurant sued over salmonella

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Posted: May 04, 2012 6:49 PM PDT  
Updated: May 04, 2012 9:18 PM PDT

The Mecklenburg County Health Department said the Toast Café in Dilworth is responsible for giving at least 15 people salmonella. In all, 29 people reported being sick after dining there in late March.

Drew Falkenstein calls himself a food contamination attorney. He is representing a 29-year-old Charlotte man who he said got sick after eating eggs benedict prepared by the restaurant on March 25. Falkenstein says his client now has arthritis from the bacteria.

"He's frustrated, obviously. He endured a significant gastrointestinal illness, and I think at this point he's concerned about the long term and how long," Falkenstein said.

Falkenstein filed a seven-page lawsuit late this week, seeking unspecified damages for his client's recovery.

Lynn Lathan, with the Mecklenburg County Department of Health, said the restaurant was doing some things that could point to an infection.

"They were making up hollandaise sauce without using a pasteurized egg. A pasteurized egg is one that has been treated so it is no longer potentially hazardous.

Once the sauce was mixed, it was allowed to sit at room temperature. We did not have proper refrigeration. We had pooling of eggs going on," Lathan said.

Robert Maynard, the managing partner of Toast Café, said in a statement: "After working alongside the health department investigating this unfortunate incident thoroughly, Toast Café is in complete compliance with the health department with a 96 percent score. Our patrons, and their health, safety and satisfaction are our top priorities."



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