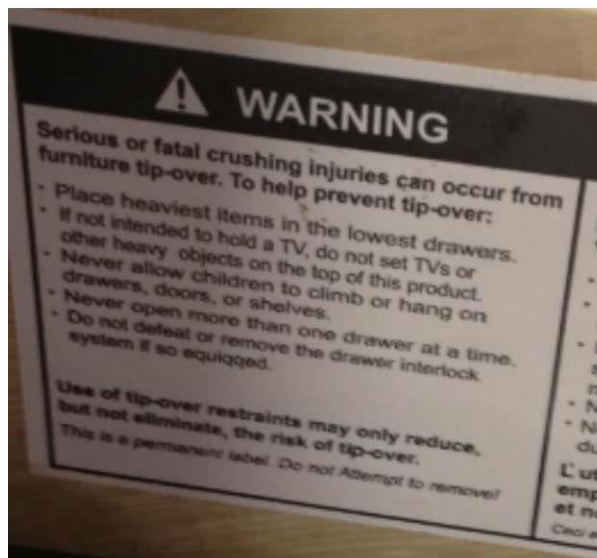


Warning label inside drawer

During my examination of the store and in particular the Ashworth Chest I opened the drawers to see if there was any binding that might have caused the chest to tip forward when pulling on the knobs. Not having the actual sample to review from the accident, based on what I observed, a warning label in the top right drawer warning of the potential that this piece of furniture could tip over (see below photo of label). I do not know if this label was part of the original chest that was involved with the accident.

This warning is ineffective for several reasons. First it should be posted by the store on top of the unit or on the price label so the warning is read prior to sampling the unit. It is not unreasonable to assume a person could open two drawers at one time as warned against doing. It is not unreasonable that this drawer with the warning is actually not the one selected when a customer is trying the opening process of a drawer. It states "or heavy object" with no reference to an approximate weight which creates ambiguity. It states to use a tip-over restraint yet the store does not follow this practice when placing the sample unit on the floor.

likelihood of an accident did not require making preventive action.



The Store's disregard to present this warning which appears in many of the furniture pieces, their failure to secure the furniture with anti tip devices while on the sales floor and not clarify what the actual weight measurement of "heavy means" shows a gross lack of concern for the customer's safety. Retailers that I have worked with are very concerned about liability and would never allow such an obvious potential danger to linger in a store and assume the

Announces Three-Year Growth

Plan

* Reuters is not responsible for the content in this press release.

Thu Apr 7, 2011 6:00am EDT

Announces Three-Year Growth Plan

- *Goal of \$200 in sales per retail square foot and 10% operating margin in three years*
- *Online business revenue contribution of at least 10% in five years*
- *Board approval for a \$100MM share repurchase program*

today announced a three-year growth plan to drive sales and further improve profitability in order to increase shareholder value. The Company's Board-approved plan includes investing in the acceleration of e-Commerce initiatives, existing stores improvements, expansion of the store portfolio, and development of infrastructure and technology to enhance business processes and efficiencies throughout the entire organization. The Company plans to invest approximately \$200 million over the next three years in these initiatives, utilizing cash flow from operations. The Board has also approved a plan to return value to shareholders by authorizing an initial share repurchase program of up to \$100 million.

, President and Chief Executive Officer, commented, "We are pleased to announce that our Board of Directors has approved a three-year growth plan which will allow us to continue to build strength and sustainability into our business, improve top and bottom line results and with an overall goal of increasing shareholder returns. We have numerous opportunities to profitably increase the reach of the

brand. With an outstanding management team, the strength of our brand and our rigorous capital discipline, we are focused on developing our Company into a best-in-class, multi-channel retailer. Today we are announcing we will re-invest cash generated from our business over the next three years to help make this a reality. Every dollar spent will be subject to our customary rigorous evaluation to ensure we are generating an adequate return and maximizing shareholder value."

Mr. Smith continued, "We are excited that the three-year plan includes moving up the timetable for e-Commerce and we expect to be selling online in early summer of 2012. In stores, our investments will include a rollout of new fixtures, lighting upgrades, and other enhancements to provide a great in-store shopping experience for our customers and increase sales productivity. Finally, our strategic investments in technology will enhance analytics and improve existing processes and efficiencies throughout every aspect of our business. Within the next three years, our goal is to achieve sales of \$200 per retail square foot and drive our operating margin to at least 10% of sales, and within five years to have an online business that contributes at least 10% of revenues."

Exhibit One



Photo Audit of Furniture Retail Store Columbus Blvd, Philadelphia PA

Furniture Retail Store located at So. Christopher Columbus Blvd in Philadelphia PA is situated in a top ranked shopping center. This center by the list of tenants would be in my estimation a very high rent location and deservedly so. One of the challenges for a retailer in this type of a business environment is to take the same product found in their other less prime locations, with the same area of store or smaller in this case, and outperform a similar Furniture Retail Store in order to compensate for the higher rent factor in their profit business plan.

The two basic strategies to increase sales when all the conditions are the same (same size store, layout, inventory mix and other similar factors) are to increase “turns” and maximize your sales space to handle more inventory). In order to achieve more turns, being the amount of times the same item sells in a given selling period, you have to inspire the customer to want to purchase the item. This is accomplished through better visual presentation, price, additional items that will sell along with that item called “pick me up” items. The other method to increase sales is to maximize the sales area by utilizing the air space about the normal selling height zone by introducing more product at a higher level off the floor. The problem of going higher with product placement is the fact that consumers have a natural range of motion and accessibility. As the consumer reaches out to the limits of this range they are more apt to mishandle, hurt themselves by stretching or not fully grasping an item. Furniture Retail Store often in the presentation I saw are testing the limits of human motion, accessibility and comfort in order to get another piece of product to sell. As a professional store planner, I would not advise my clients to take this approach as it creates bad will with the customer, makes the shopping experience challenging, stressful and ultimately loose the customer.

What was interesting to note that within the same shopping center was another furniture retailer, IKEA, who took a complete opposite stance on how to sell product to the consumer and make a profit. Later on in the photo audit I will address this method and show how it is more consumer friendly and safer on many levels.

This is a page from the Furniture Retail Store website showing the Ashworth Chest and its characteristics. I do not know the origin of the manufacturing but based on the retail price and construction details, the ability to maintain tolerances between pieces was not considered critical in the manufacturing process. As a result of the quality control issue there is no method to level the unit when standing on an uneven surface such as this stores floor condition. Levelers are conventionally utilized to enable the user to compensate for floor conditions, such as what exists in this store. Currently the piece rocks approximately 1/4" between the front and back of the unit. This can be a result of the floor tile which are not flat or the wood ball feet are not dimensionally the same or a combination of the two. Regardless of the cause, there is no method provided in this piece to rectify this problem.

Home > Category > Furniture & Living > Bedroom > Dressers & Vanities > Ashworth 5-Drawer Chest - Chestnut

Ashworth 5-Drawer Chest - Chestnut

\$599.95

[Click to enlarge](#)

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Description Details

With its oversized ball feet, beveled drawers and boxy shape, our retro-inspired Ashworth Collection brings back the good old days. Wooden drawer glides, dovetail joinery and dustproof shields between drawers are further testaments to old-fashioned quality. Dresser with mirror, nightstand and queen/king beds also available.

- Size: 36"W x 18.5"D x 48"H

Quantity

1

\$599.95

Item #2222588

[Add to Basket](#)

[Add to Wishlist](#)

Shipping Availability:

Not Available Online -
Please Check Store
Availability

[Pick Up In Store:](#)

[Check Store Availability](#)

Free same-day pick-up

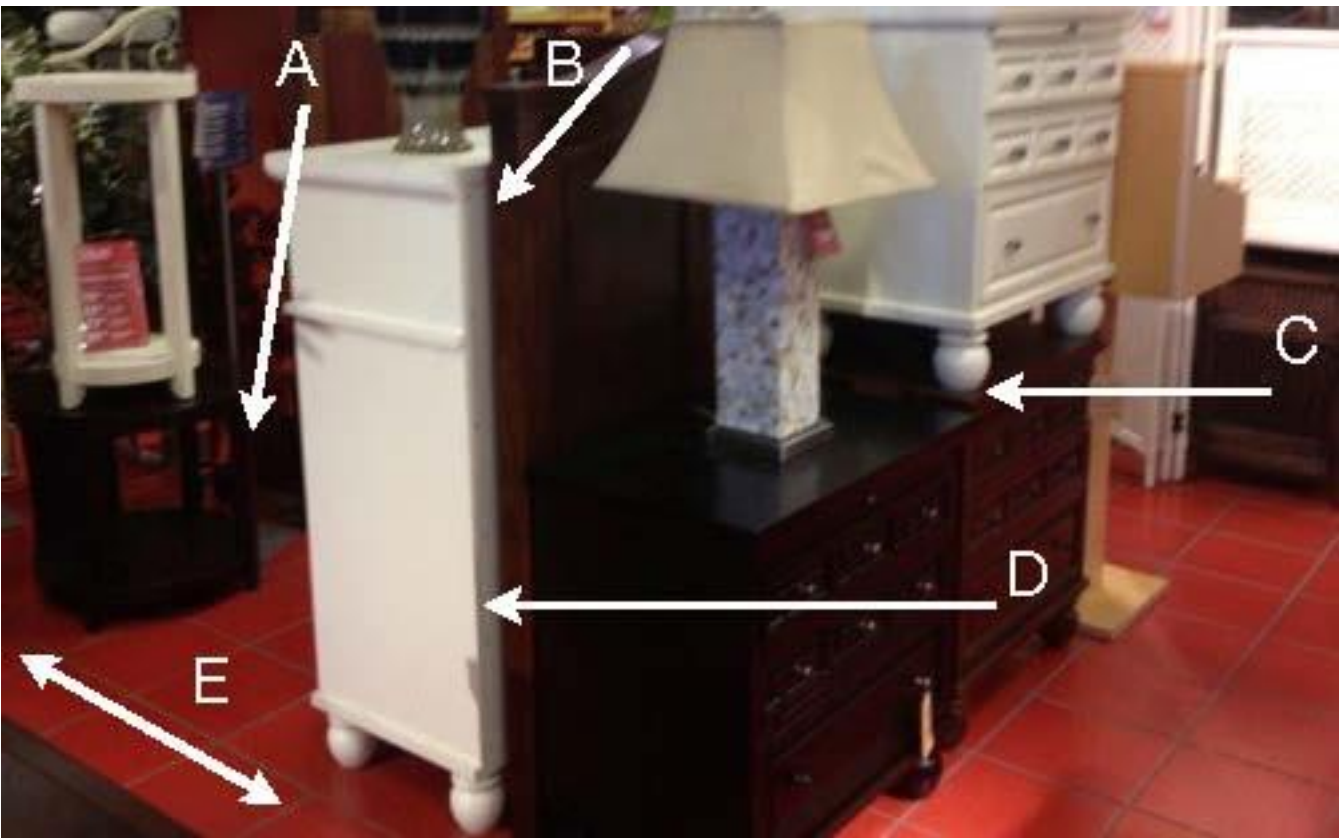
Add this item to your basket, then select for free store pick-up.

Description Details

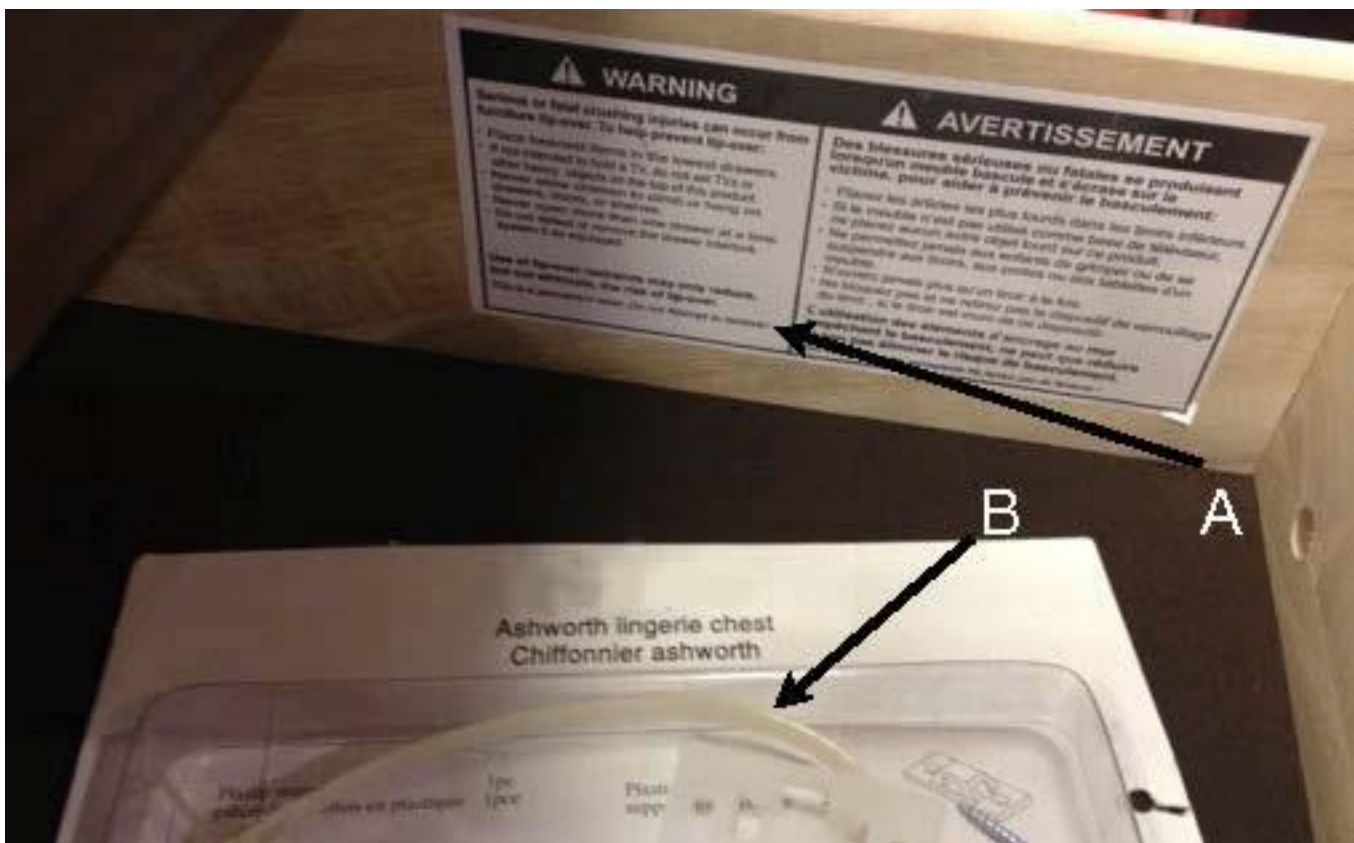
With its oversized ball feet, beveled drawers and boxy shape, our retro-inspired Ashworth Collection brings back the good old days. Wooden drawer glides, dovetail joinery and dustproof shields between drawers are further testaments to old-fashioned quality. Dresser with mirror, nightstand and queen/king beds also available.

- Size: 36"W x 18.5"D x 48"H

- A. The white piece of furniture is stacked on top of a table. In spite of the stores merchandising attempt to “vignette” a possible in home set up, stacking two tables is not a realistic visual presentation. The only reason I can conclude for this action is to increase the profitability of the store by going up and getting more items into the same space. You can see the legs of the white table are close to the edge of the piece on the bottom. If this piece is hit by a customer, not only would the white piece come down, anything on top of the white piece would fall such as the green bird figure.
- B. This is the back of the white Ashworth chest in question. I examined this piece and there was an anti-tip device in the drawer next to the warning label. That anti tipping device would have attached to any portion of the exposed vertical edge back, however in this case the device was not utilized.
- C. Another vignette that does not depict a condition or presentation found in a home. The white piece sits too close to the edge of the unit underneath and a potential dangerous condition if nudged or sampled by a customer.



- D. This is the back of the Ashworth chest in question. I examined this piece and there was an anti-tip device in the drawer next to the warning label which was not used to stabilize this unit. That anti tipping device would have attached to any portion of the exposed vertical edge back, however in this case the device was not utilized.
- E. The legal 3' Aisle width indicated by the length of the double arrowhead line, is encroached by the furniture on the floor. The actual dimension was closer to 2' thus creating an illegal and dangerous condition should the tight quarters cause a customer to nudge the furniture. The grout lines on the floor are approximately 12" apart.



A. The warning label was found in this case on the right wall of the upper right hand drawer. Had I been standing on the right side of the unit, and opened this drawer, I would not have seen the label on the side wall. If I did not open this particular drawer first the warning label would not have been read. This label should be visible from the outside of the furniture as several of the warnings refer to issues that could occur prior to opening the drawer. As noted prior, the use of the word heavy, without qualifying what that weight actually is leaves the statement ambiguous and ineffective.

B. The fact that the anti-dipping device kit was found in the floor sample units that had warning labels, and not utilize on that floor sample is contradictory to the warning statement.

My expertise does not include legal issues, but I have to ask the question how the retail consulting counsel allowed the store to put this label in a place that might not be seen when the piece is used as a floor sample. I would have recommended to my clients that in addition to the manufacturers warning label found inside the unit, an additional notice is in plain sight to the customer.



A. This area reserved for standing animal figures is a good way to show an item this high. To place these figures on top of a piece of furniture would not benefit the visual presentation as the overall height would not simulate what one would do in reality in their home. These figures are thin and tall which makes the stability of the item if placed on a flat surface a concerning issue. Due to the geometry of the statue, a pendulum reaction would occur should the base start to rock as a result of the piece they are standing on is set into motion by a nudge, or pulling a draw.

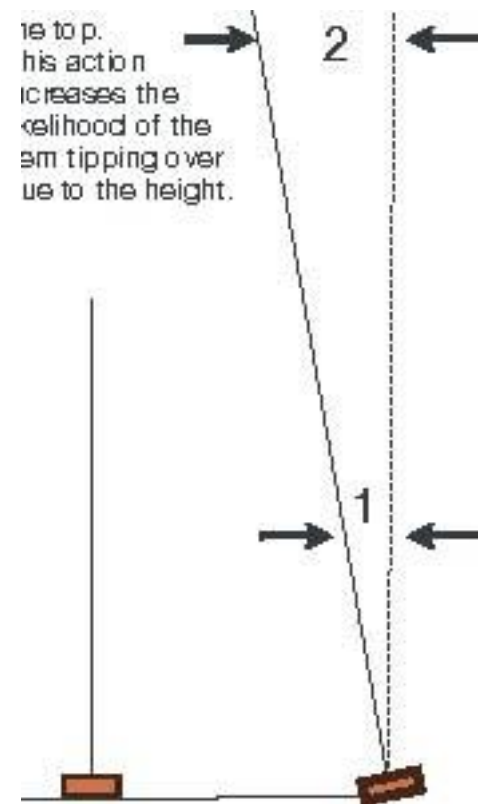
B. You can see by the illustration below that the taller the item, the greater the distance it travels at the top.

2

This action increases the likelihood of the item tipping over due to the height.

1

Tipping exaggerated due to height





A. This condition is a blatant statement that Furniture Retail Store tolerates a dangerous condition to exist in a store and not take immediate action to resolve. The store manager should be looking out for conditions such as this table on the edge of the surface below it. The table needs all four leg point of contact to be secure or the table will fall. The lamp on the table adds additional liability issues which are allowed to exist. In my opinion, based on the fact that I cannot review prior conditions that led up to the accident is

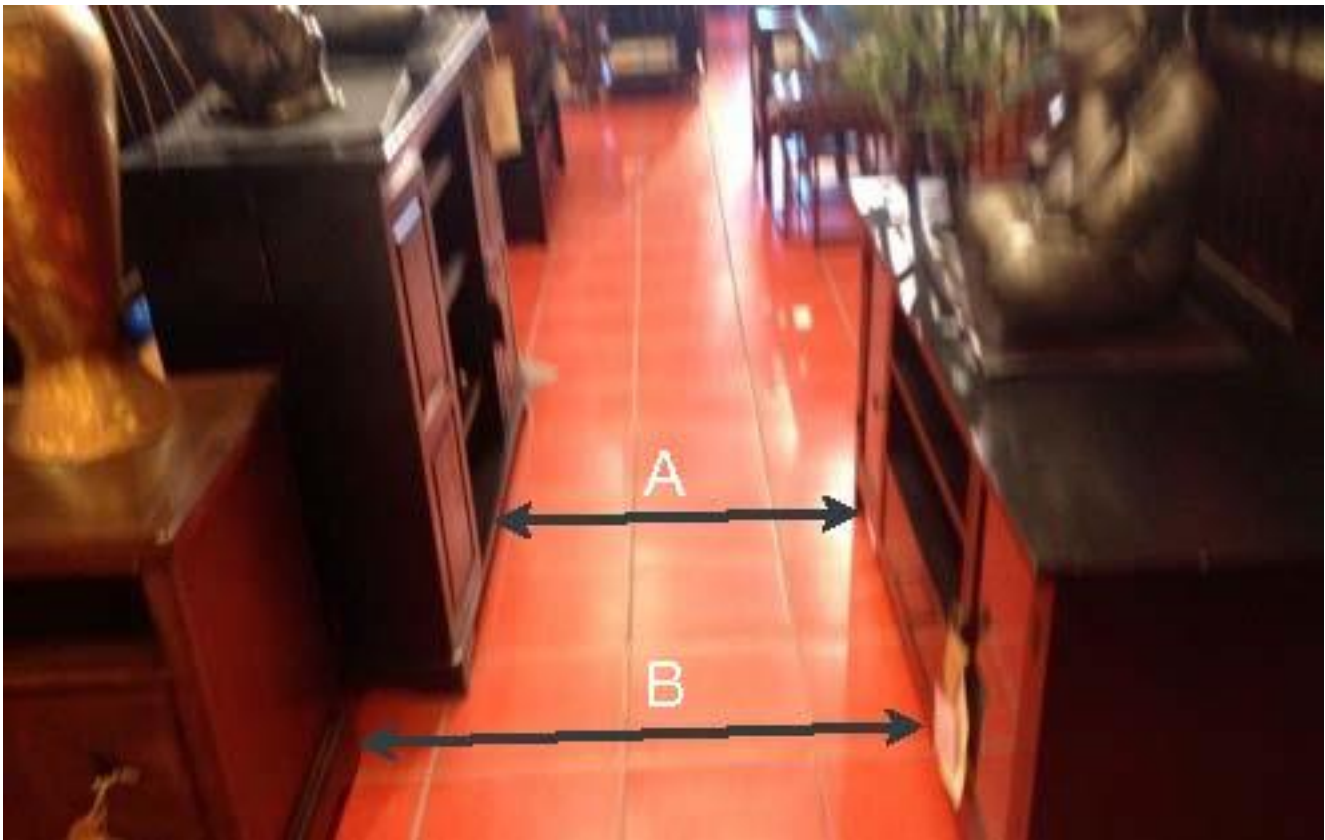
that the same mentality and store discipline that exists today were in effect at the time of the accident. Certainly if I was a manager and I know there was a critical accident in the past that was due to an object falling off a surface I would make every attempt to make my store as accident proof as possible.



A. The shelf unit is filled with product and represents the fact that the correct way to show product when going vertical is to have supporting levels for all items being shown. In reviewing this product presentation I question the stability of the mirrors. I realize that the nature of an easel stand is not the most stable method of support but at least the mirrors are set back and not easily disrupted.

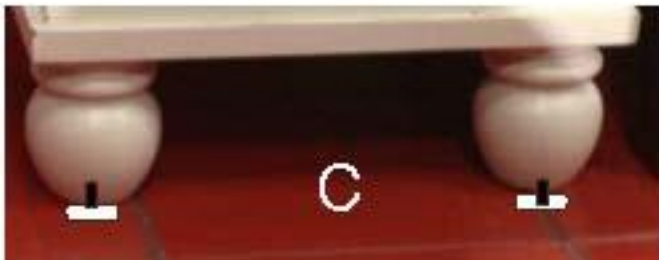
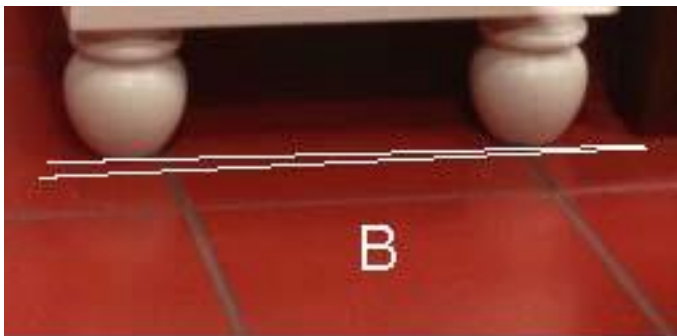
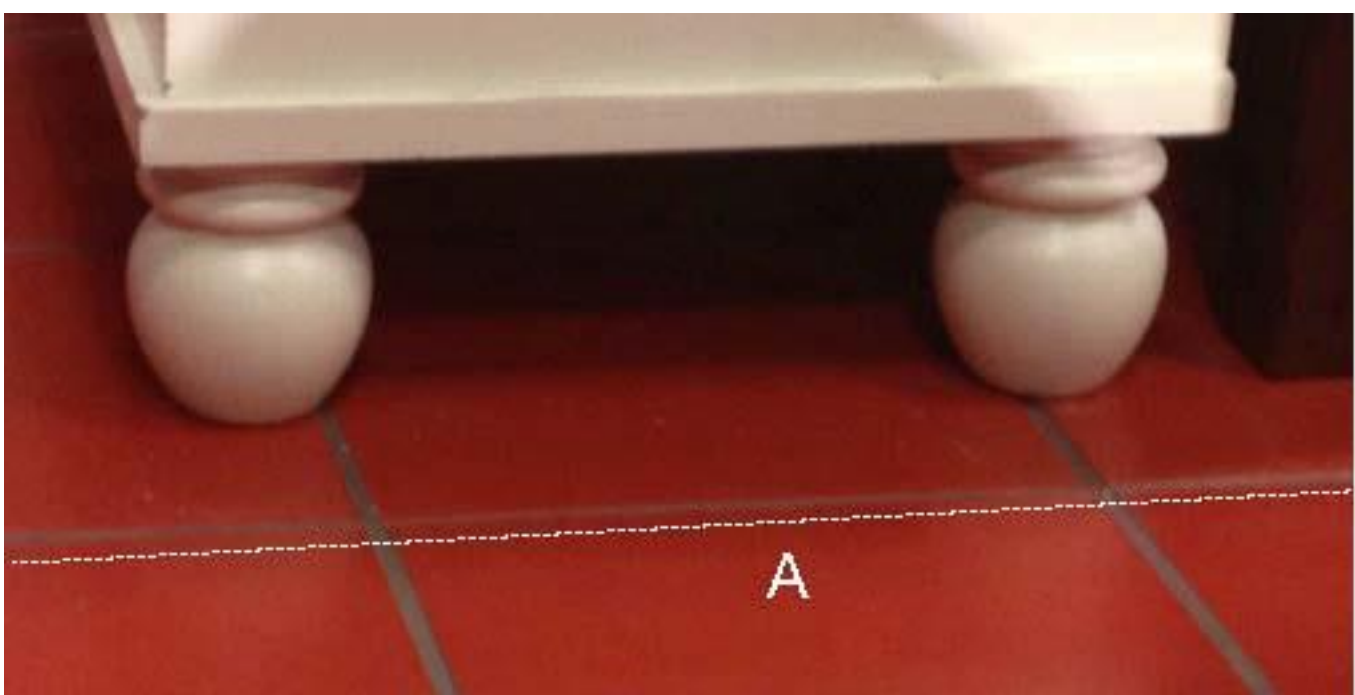
B. The boxed shape item is leaning over the edge of the shelf. At some point if it is not put back onto the shelf correctly it might be a potential hazard.

In summary, when you have so many irregular shape objects on display with so many customers handling these items some procedure should be in place to avoid unsafe conditions.



Codes are in place because public safety is paramount to all municipalities and retailers. Entire sets of rules and regulations were established to prevent handicapped people from undue hardship as a result of not having 100% access, the same access as others. In the photo, each grout line is approximately 12" apart. When you look at arrow "A" the distance is approximately 2'-8" , obviously less than the 3'-0" legal distance.

Arrow "B" is close or at 3'-0" but again rules, regulations and company policy are not adhered by the store staff to maintain a safe shopping environment. You can see as you look down the aisle and count grout lines, that the aisles are not constant at 3'-0" or better. There is at least five linear feet in this aisle that have less than 3'-0" aisle clearance. This condition is dangerous and illegal.

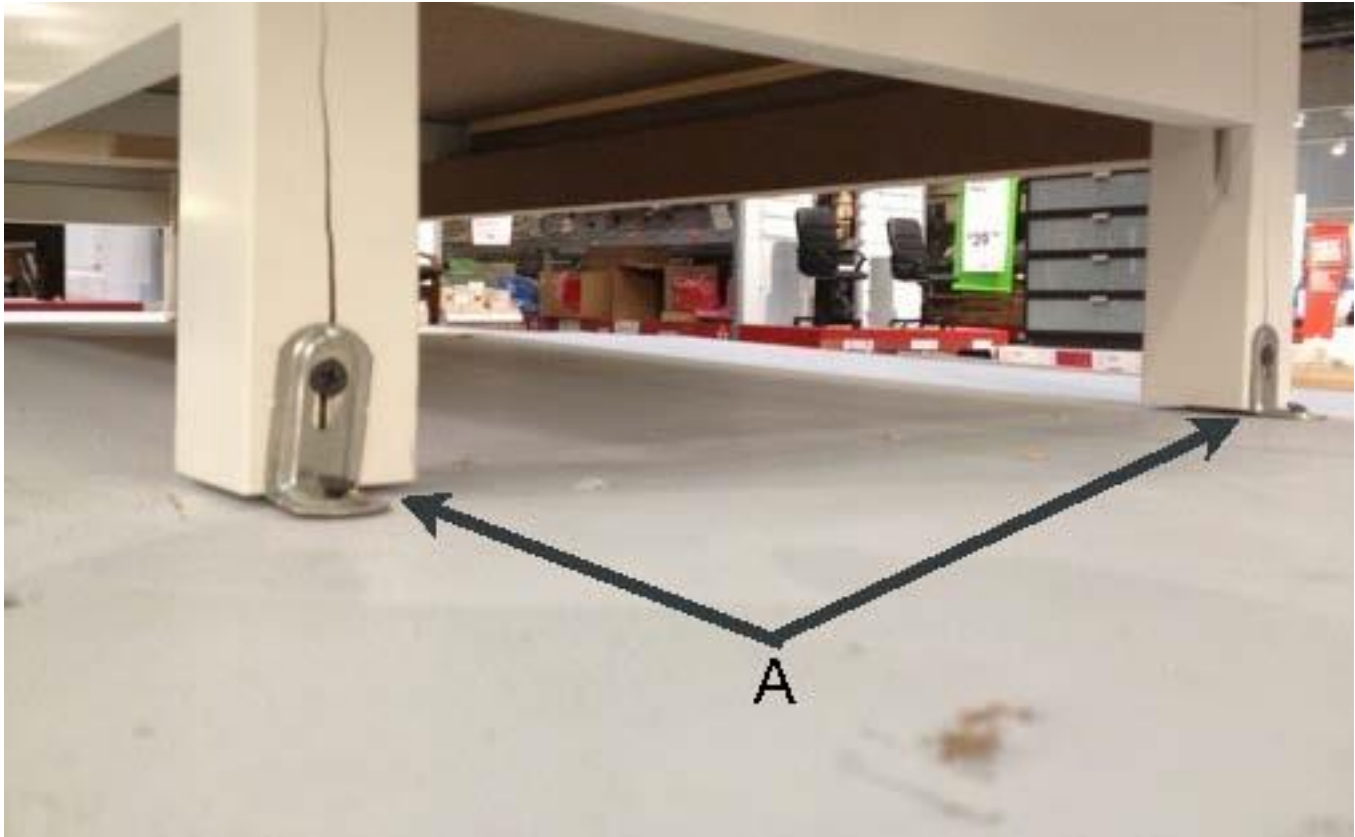


These are the ball feet on the Ashworth Chest. You can see that the underside of the feet are cut at a flat line, however my opinion is that if you measured the level of each leg you would see the angles are not truly flat. Due to the economic priced furniture manufactured at a minimal standard of quality control, the rocking that I experienced in the store sample should be expected.

A. One of the contributing factors to the accident was the wavy floor surface. If you follow the dotted straight line, you can see the grout line is going up hill, down hill and wavy, that line follows the contour of the floor. With a floor in this condition it would be necessary to find ways to level out the legs at store level so they can stabilize the furniture.

B. These lines demonstrate an exaggerated example of the bottom of the leg surface. When the leg is flush and firm on the back legs on the right, the front leg would be situated off the

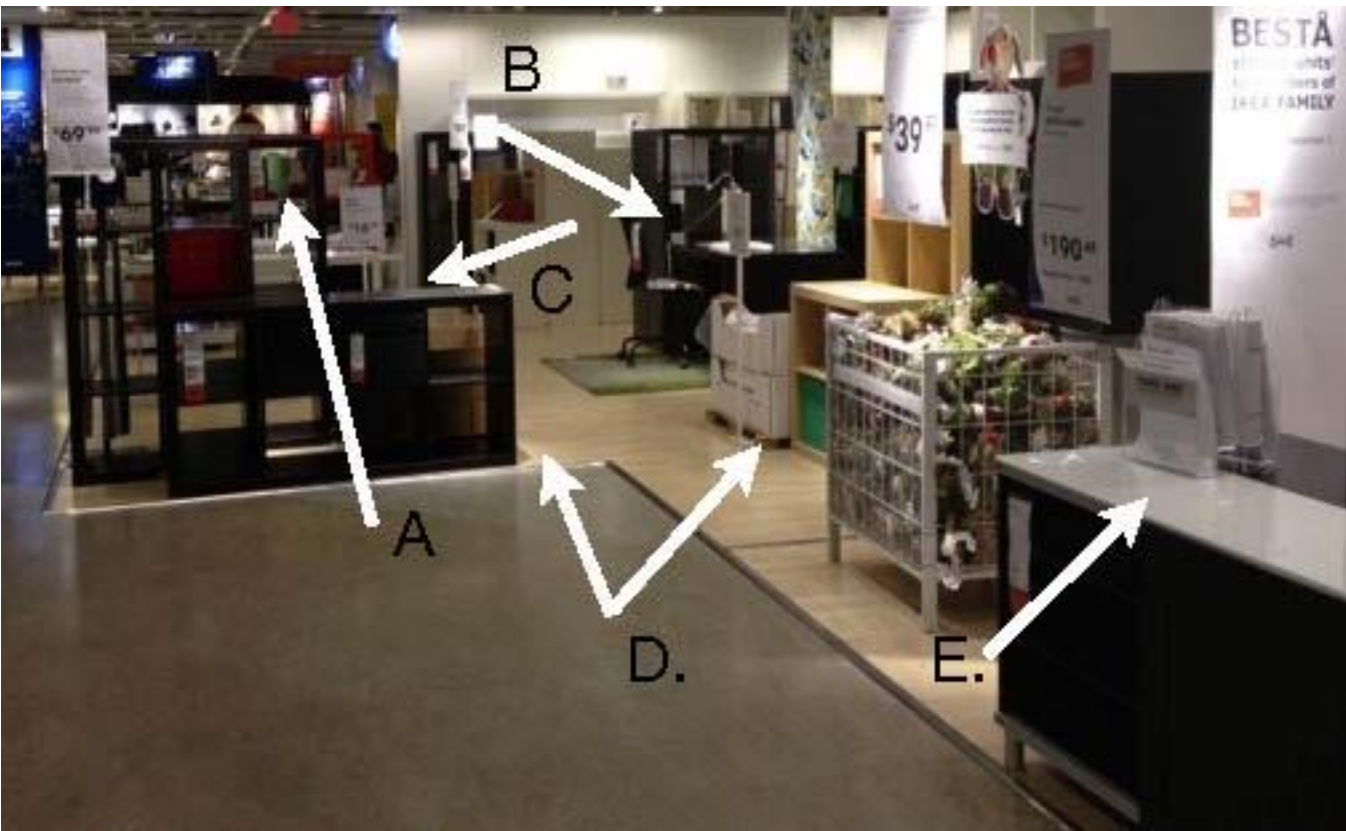
floor, thus causing rocking and ultimately sending any object on top of the chest in motion. C. One proven method to reduce and eliminated a piece of furniture from rocking would be levelers on the other side of the feet. By adjusting the four leg levelers a solid stance would be made possible and eliminate the chance of an item from being set into motion that was sitting on top of the chest.



I took the liberty to enter IKEA, a furniture store in the same shopping center as Furniture Retail Store to see how they handled the elements that I believe caused the accident in the Piet 1 store. Every piece of furniture on display at IKEA, that was sitting on the floor or on top of a platform was anchored into the furniture with angle brackets as shown in this photo. This practice, which I commend was found throughout the IKEA store with the sole purpose of protecting the safety of customers. Objects such as this table or other ornamental art were either bracketed down or electrical tie to stop any motion that could have been caused by a nudge or customer handling which could result in tipping the unit.

This photo was taken at IKEA and illustrates a method of merchandising furniture that I consider a standard to the correct way of presenting this product line.

- A. The accessories are placed in an organized manner, positioned to avoid customers from accidentally nudging it, and in fact enhances the presentation as it is more legible to the eye than the Furniture Retail Store method of clutter merchandising.
- B. An additional example of placing product to enhance the piece of furniture and inspire multiple sales which increase the profitability of the store. The product is not crowded nor shown in mass quantity but rather as a single item which reduces the risk of accidentally hitting it while reviewing the product presentation.
- C. The top surface is intentionally left empty which accomplishes several standard objectives in retail. The emphasis is on the high priced piece of furniture and that item stands out due to the lack of distraction from other product. More importantly, there is little or no chance of an object falling off the top of the furniture when the accessory item is shown on a separate case adjacent to the object being featured.



- D. A critical decision was made for this store to build a store sized correctly and safely for the product inventory desired to show. Furniture Retail Store took a less methodical approach to designing their store. It appears that Furniture Retail Store has a philosophy of merchandising that accepts encroaching on the aisle widths and overloading the surface areas of furniture with an abundance of accessories. The end result of the Furniture Retail Store lack of sales floor space has created unsafe conditions for customers.
- E. This is another example of a surface area that could have been easily filled with accessories, however there is a risk of placing product in harms way when exposed.

In conclusion, IKEA built a store with more than enough space to properly display product, allow for adequate circulation around the store and not placing objects on exposed surfaces that could fall off due to tight quarters. It is my opinion that IKEA was very aware of safety issues and went beyond the normal standards of store design to create a safe and an interesting retail environment to shop by their customers.

Summation

It is important to state again that my observations and opinions are based on the information I reviewed as well as my onsite investigation of the Furniture Retail Store in which the accident occurred. I have over time walked through Furniture Retail Store Stores in other locations and found some of the safety issues which I observed in this store consistent with previous visits to other Furniture Retail Store locations.

The three major contributing factors that in my opinion were responsible for the accident that occurred to Doreen A. Angelo are as follows:

Factor 1- Aisle widths within the sales floor reduced to a dimensions less than the standards required by ADA, local fire code egress and standard practice in Store Design. The results of this reduction in aisle width increases the risk of customers brushing against product, causes customers to bump into furniture situated on the sales floor with strollers, their walkers, or just normal passing another individual in the aisle. When product is placed on the sales floor in an unstable manner (see factor 2) the small margin of error causing a product to fall off their display surface is greatly amplified due to a lack of margin of error due to slipping off the edge.

Factor 2- Product presentation and placement on the sales floor. It was noticed in several situations within the store that a table with four points of contact for support was placed on another table with the legs less than an inch away from the edge of the lower table. Should only one leg go over the edge, it would cause not only the upper table to fall down, but any item such as a lamp or statue to fall as well. It is not normal or prudent retail merchandising practice to create this situation. There is a possibility that a consumer in examining the product caused the unsafe condition, but sales staff should have been trained to immediately correct the condition when observed. This practice of leaving product in unstable situations creates a very unsafe shopping venue not only for customers but for employees as well.

Factor 3- Furniture with a tendency to tip need to be stabilized upon their introduction onto the sales floor. Warnings found inside the furniture need to be clearly visible outside the furniture in case the consumer does not open the correct drawer and sees the warning. There was no example within the Furniture Retail Store where they followed their own warning labels and installed their anti tip device for sales floor samples. In my review of the Ashworth chest listed on the accident report I found it rocked easily and set the vase above it into motion with a small amount of exerted force on the front of the chest. Due to the irregular floor material, a flat surface under the legs of the chest was not available thus creating an uneven distribution of the chest weight onto the four points of leg contact to the floor. This condition contributed to the rocking motion and the item on top of the chest to go into motion and possible fall off the top of the chest as described in the accident report.

My professional opinion is that Furniture Retail Store does not place a high priority on reducing the factors that can lead to serious accidents within their store. Unlike the IKEA store sighted in this report, where safety is obviously a key consideration in the many design and merchandising issues, Furniture Retail Store has not made provisions through staff training to reduce accidents caused by product falling or shifting.