

[nj.com](https://nj.com)

# Dunkin' hot coffee spill left Jersey Shore man with second degree burns, lawsuit says

*Updated: Jul. 08, 2024, 11:27 a.m. | Published: Jul. 08, 2024, 11:09 a.m.*

3–4 minutes

---

By

- [Anthony G. Attrino | NJ Advance Media for NJ.com](#)

A Jersey Shore man has filed a lawsuit against a Dunkin' coffee shop in Ocean County, claiming the beverage was so hot he suffered second-degree burns when the lid popped off and the liquid spilled on him.

Cosimo Nistico, 73, says in court papers he was injured after ordering a hot coffee April 27 at a Dunkin' drive-thru in the 1000 block of Route 37 in Toms River.

“The defendant negligently failed to properly secure the lid on (the) cup, causing the hot coffee to spill on plaintiff’s lap, causing second-degree burns to his left thigh,” states the suit, filed June 6 in Superior Court of Ocean County.

The lawsuit says Nistico’s injuries caused him great pain and suffering that required medical treatment. He also lost time off from his job and was unable to attend to his normal activities, the suit

says.

Along with the Dunkin' chain, Nistico is suing several unnamed workers and corporations.

A spokesperson for the Dunkin' chain did not immediately respond on Monday to a request for comment on the lawsuit, which is the latest in a string of customer lawsuits against the coffee chain.

In January, a New Jersey man claimed in a lawsuit he was injured after buying hot coffee from a Dunkin' in Madison. In that case, the man claims the lid popped off a cup of "excessively hot" coffee and burned his torso and limbs.

Court records show similar suits over hot coffee spills have been filed over the past few years against Dunkin' stores in [Bergen](#), [Burlington](#), [Camden](#), [Hudson](#), [Morris](#) and [Passaic](#) counties.

Dunkin' was also sued for \$100,000 when a man claimed he was injured when [a toilet in a store in Winter Park, Florida, exploded](#), leaving him covered in feces and urine.

Several hot beverage lawsuits have also been [filed against the McDonald's chain](#) in New Jersey and elsewhere dating back more than 30 years, when an injured customer's attorney successfully argued the chain heated its coffee up to 30 degrees hotter than industry standards.

- [N.J. man run over by girlfriend's car when he tried to stop her from leaving, cops say](#)
- [N.J. funeral home withheld mother's ashes, lost her jewelry, lawsuit says](#)
- [Pedestrian dies days after he's struck by car in N.J. intersection](#)

*Thank you for relying on us to provide the journalism you can trust.  
Please consider supporting [NJ.com](#) with a subscription.*

*[Anthony G. Attrino](#) may be reached at  
[tattrino@njadvancemedia.com](mailto:tattrino@njadvancemedia.com). Follow him on X [@TonyAttrino](#).  
Find [NJ.com on Facebook](#).*

If you purchase a product or register for an account through a link on our site, we may receive compensation. By using this site, you consent to our [User Agreement](#) and agree that your clicks, interactions, and personal information may be collected, recorded, and/or stored by us and social media and other third-party partners in accordance with our [Privacy Policy](#).