

\$3.25 million settlement for catastrophic injury caused by management indifference

Bill Johnson (not his real name) had completed his military service with the U. S. Army and received an honorable discharge. After years of training and a deployment to Afghanistan as an industrial equipment technician, he was ready to start a new career. Bill, his wife, and their two children moved to Florida where he quickly found a job as an equipment technician with Metal Press Company (not its real name). Metal Press fabricated metal lids for shipping containers used to store perishable food during transportation. The fabricating process utilized powerful industrial pneumatic presses to stamp the metal lids used on the large containers.

What was to be an exciting new adventure for the Johnson family – new job, new location – suddenly turned into a nightmare. Bill and a co-worker were following the proper protocols in operating the press



and performing a maintenance task to remove an internal component in the press. The press was supposed to be secured in the single-stroke open position in order to remove the internal component. However, a safety bypass switch had been retrofitted allowing the press to default into continuous-stroke mode. When Bill placed his hands inside the press to remove the component part, the press unexpectedly repeated the cycle stroke and closed on his hands before he could remove them from the equipment. The press amputated eight of his fingers, cutting across the palms of his hands.

Following the incident, the Occupational Safety and Health Administration (OSHA) began an investigation. It discovered many troubling facts that had led to Bill's injury. The aging press equipment, dating back to the 1940s, was *(Continued on page four.)*

Speeding SUV runs red light causing collision resulting in \$1.25 million settlement

John and Jane Doe (not their real names) were driving westbound on a highway in Collier County, Florida, when they came to a stop at a red light waiting to make a left turn. When the traffic light's left-turn arrow turned green, John proceeded into the intersection to make his turn. Suddenly, the driver of an SUV heading north ran through his red light and slammed into their car. The collision was so violent it resulted in the total loss of the Doe's vehicle. John lost consciousness at the impact. He suffered a severe leg fracture which required multiple surgeries. Jane had soft tissue injuries. She suffered through a great deal of mental anguish and trauma as she sat in the car next to her totally unresponsive husband waiting for emergency medical help. The EMS crew arrived shortly and were able to save John's life.

Following the crash and while trying to recover from his injuries, John and Jane turned to SDSBS attorneys **Chris Searcy** and **Brian Denney** for help. In a pre-suit investigation conducted by Mr. Denney and paralegal Nick DeBellis, they downloaded the SUV driver's event data recorder which revealed that the driver had been exceeding the speed limit just prior to the collision. At mediation before filing a lawsuit, SDSBS was able to reach a settlement in the amount of \$1,250,000 for John and Jane Doe.

Mr. Denney, Mr. DeBellis, and the rest of their professional team work on a wide variety of cases for their clients. In the past two years, their efforts have resulted in recoveries exceeding \$86 million. ♦

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