

# Verdicts, Settlements & Tactics

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## **\$850,000 Settlement In Suit Alleging Defectively Designed Steel Pouring Platform**

On September 3, 1996, a 50-year-old foreman slipped on grease on the slope of a pouring platform while working for Lukens Steel (now Bethlehem Lukens Plate. He fell approximately 17 feet to the ground. At the time of the incident, plaintiff was leading a crew that was pouring steel onto molds on railcars from the pouring platform.

Suit was brought against the construction company that built the pouring platform where plaintiff's accident occurred. It was alleged that the defendant improperly designed the pouring platform with a slope at the edge. Plaintiff contended that the platform should have been designed with an open grating rather than a slope.

Defendant contended that plaintiff's employer designed the platform and defendant followed the specifications, which called for the platform to have a sloped portion on the open side.

**Injury:** Multiple fractures of the ribs and pelvis, including sacroiliac joint.

Past medical expenses: \$110,000.

Loss of earning capacity: \$1 million.

**Result:** \$850,000 settlement.

**Plaintiff's Expert Witnesses:** Norman Goldstein, P.E., forensic safety engineer, Robbinsville, N.J.; Robert P. Wolf, Ph.D., vocational economist, Cherry Hill, N.J.

**Defendant's Expert Witness:** Matthew Burkhart, P.E., civil engineer, Southampton, Pa.

**Plaintiff's Attorney:** Peter M. Patton of Galfand Berger, Philadelphia, Pa.

**Defendant's Attorney:** Joseph P. Connor, III, Paoli, Pa.

*Dazio v. J.C. Hale Construction, Inc.*, No. 3052 August Term 1998 (Philadelphia Cty. Ct. of Common Pleas. Pa. March 22, 2000)