

Man crushed by truck at work receives \$2.2M

BY BRIDGETOWER MEDIA NEWSWIRES

A man who was crushed by a truck during his first day on the job as a warehouse manager will collect over \$2.2 million in settlements with multiple insurers, his attorney reports.



Condon

Charles Condon, Jr., of the Charlie Condon Law Firm, LLC, in Mount Pleasant reports that his client, whose name was withheld, was trying to assist in the unloading of a tractor-trailer when warehouse employees realized that the dock leveler—the ramp that connects the dock to the truck—wasn't in place. The truck's driver pulled forward to make room, and the client descended into the bay,

at which point the driver reversed, smashing the man's arms against the dock.

Condon said that training dictated that the driver should have been more careful, and the driver didn't follow the industry-standard "G.O.A.L principle"—an acronym for "get out and look". He also failed to signal, didn't use a spotter, and didn't communicate with workers.

"He had a duty to make sure that where he was backing up was clear, particularly in light of the fact that he knew they were trying to get this leveler up," Condon said. "He should have made sure that was done before he backed up."

Condon said that his client, despite numerous surgeries, still has significant impairment to both arms and noticeable scarring, and that his injuries would certainly affect his future career path.

"He is functioning but is definitely suffering permanent impairment," Condon said.

The client secured a \$2 million settlement with the liability insurer, reflecting the full policy limits. He also obtained a workers' compensation settlement of

\$155,000 and an underinsured motorist policy settlement of \$50,000.

Condon said that the company should have filed an accident report with the police but failed to do so, and it was unclear why they failed to do so.

The case was resolved pre-suit, but Condon said the defense might have tried making a contributory negligence argument based on the fact that his client went down into the bay, since the issue came up during negotiations.

SETTLEMENT REPORT – NEGLIGENCE/ WORKERS' COMP

Amount: \$2,205,000 (\$2 million in liability insurance, \$155,000 in workers' comp, and \$50,000 in UIM insurance)

Injuries alleged: Serious crush injury to both arms

Case name: Case settled pre-suit

Venue: Charleston County

Date of settlement: January 2021

Most helpful experts: George Page (vocational rehabilitation) and Lindsay Moore (medical consultant)

Insurance carrier: AIG (liability), Erie Insurance Company (workers' comp), and State Farm (UIM)

Attorney for plaintiff: Charles Condon, Jr., of the Charlie Condon Law Firm, LLC, in Mount Pleasant

Attorneys for defendant: None