

Missouri Lawyers

MOLAWYERSMEDIA.COM

WEEKLY

EXPERTLY FOCUSED. WIDELY ACCLAIMED. NATIONAL & STATE AWARD WINNER FOR NEWS, PHOTOS & DESIGN

■ \$6,000,000.00 SETTLEMENT

Worker settles for \$6M after injuries from building collapse

PREMISES LIABILITY

- Breakdown: \$4,000,000 from construction manager, \$2,000,000 from structural engineer
- Venue: St. Louis Circuit Court
- Case Number/Date: Confidential/June 25, 2020
- Special Damages: Approximately \$400,000 in past lost wages, \$1,100,000 in future earning capacity losses, medical bills in the amount of \$301,000
- Plaintiff's Experts: Dr. Jennifer Brockman (medical-diagnostic specialties); Karen Tabak (damages); Gerald R. Fulghum (construction management); David Glabe, Glabe Consulting Services (structural engineering)
- Caption: Confidential
- Plaintiff's Attorneys: James D. O'Leary Jr., O'Leary, Shelton, Corrigan, Peterson, Dalton & Quillin, St. Louis; Brent Sumner, Sumner Law Group, St. Louis
- Defendants' Attorneys: Confidential

BY SCOTT LAUCK

scott.lauck@molawyersmedia.com

A worker injured during the partial collapse of an old building in St. Louis reached at least \$6 million in combined settlements, according to his lawyers.

Attorneys James O'Leary and Brent Sumner said the plaintiff was injured on Aug. 22, 2011, when he was 19. The plaintiff was performing work on the top floor of the building removing brick from the inside of a steel I-beam supporting the roof. The concrete roof partially collapsed on him and the scaffolding on which he was standing,



Brent Sumner

trapping him under the concrete slab until he was rescued.

The plaintiff alleged injuries to his neck, head and left shoulder. He ultimately underwent three surgeries on his left shoulder, as well as a labral repair surgery on his right shoulder, which had been aggravated by the left shoulder's limitations. He also underwent a disc replacement at C5-6 to relieve his neck symptoms and

required prescription medication for depression and post-traumatic stress disorder following the collapse.

The plaintiff sued the project's architect, structural engineer and construction manager, alleging that proper safety precautions hadn't been taken. The attorneys said the floor and roof slabs were built with cinder concrete with steel supports that had been exposed to water through the years and were in a dangerous and unstable structural condition.

The defendants individually denied the allegations and argued that they were not responsible for safety practices on the job. The defendants also disputed the degree of the plaintiff's injuries, as well as causation for all but his left shoulder injury.

O'Leary and Sumner said they settled for an undisclosed amount with the architect in mediation last year. Shortly before a scheduled trial, the construction manager, which the attorneys said offered \$25,000 at the first mediation, settled in March for \$4 million. After the trial setting was continued, the structural engineer settled in June for an additional \$2 million.