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Woman injured by lamp pole gets \$2M

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The city of Chicago will pay \$2 million to a woman who suffered injuries after an ornamental lamp pole collapsed and crushed her in a public roadway.

The city council Wednesday passed a motion to execute a \$2 million settlement for Maya Kirk, which was recommended Monday by the Committee on Finance.

In 2019, Kirk filed the lawsuit in Cook County Circuit Court and alleged active negligence.

Kirk's fifth amended complaint alleged that an ornamental lamp pole collapsed and crushed her while she was walking northbound on LaSalle Street in 2019.

Kirk, then 47, alleged that the lamp pole's shroud covering, which attracted rainwater and other precipitation, caused rust and decay at its base.

The complaint also alleged that the city identified corrosive rust at the base of the pole and determined that it was structurally sound

within one or two years of its collapse.

Further, Kirk alleged that the city's lack of maintenance of the pole's horizontal bars, which provided for two large display banners, made the pole dangerous during windy conditions, among other claims.

Edward G. Willer and Francis Patrick Murphy of Corboy & Demetrio represented Kirk.

He said Kirk, now 51, suffered an open fracture of her left femur's distal end that required surgery involving plates and screws. He said she suffered a convoluted fracture, where multiple bones are fragmented, in addition to a head laceration and a fractured tooth.

Kirk had the plates and screws removed in April, he said, but still has a disfigurement on her femur bone and a minor disability related to her general mobility.

Willer said he primarily argued that the combination of corrosive rust at the pole's base and its banners acting "like a sail" caused the pole to fall over.



Edward G. Willer

He said his partner Francis Patrick Murphy argued that the city did not have a preventative maintenance program in place and relied upon civilians to call 311 to report complaints, rather than routinely inspecting the poles.

Willer said Kirk previously worked as a project manager and now works at a different office job.

"We think that this is fair compensation for Miss Kirk," Willer said. "Hopefully, she can get on with her life after having suffered this horrific fracture to her major bone in her leg."

The settlement was reached Oct. 10 and entered



Francis Patrick Murphy

by Judge Toya T. Harvey.

The city was represented by Shilpa A. Patel of its Law Department.

Deputy Corporation Counsel Margaret Mendenhall Casey provided testimony for the case Monday at a meeting of the City Council Committee on Finance.

In her testimony, Casey said that the Law Department recommends a \$2 million settlement, but noted that a review of the 311 database did not reveal any complaints about the pole and a contractor assessed the pole to have routine rusting in 2018.

The case is *Kirk v. City of Chicago*, No. 19 L 13385.