

\$75 Million Settlement for Victims in Hancock Scaffolding Accident

Wind Advisory, Safety Measures Not Followed

On the eve of trial, 10 victims of those injured and killed by the scaffolding that collapsed and fell from the John Hancock Building in Chicago will receive \$75 million in a global settlement for their personal injury and wrongful death claims. **Thomas Demetrio**, name partner at Corboy & Demetrio and one of the lead attorneys in the lawsuit, represented seven victims including the families of the two young women who were killed in the front seat of their car as their mothers witnessed their deaths in the back seat. The settlement also includes two people who were injured and a person who was killed. At the request of the victims' families, the dollar amounts for each individual family will not be disclosed to respect their privacy.

The case was scheduled to go to trial before Cook County Circuit Court Judge William Maddux, Presiding Judge of the Law Division, at the Daley Center in Chicago. The trial was expected to last several weeks.

"Had daily weather reports, fundamental safety practices and mere common sense been followed, this catastrophe could have been avoided," said Demetrio. "The real tragedy is that the responsible parties knew that the equipment was poorly engineered and, nevertheless, allowed it to hang from the 42nd floor after a wind advisory had been issued by the National Weather Service.

"Throughout the window sealing project, these defendants chose to implement cost-cutting and time-saving measures. Their actions cost people their lives by allowing the 10,000 pounds of equipment to remain inadequately secured at a midpoint of the building. This careless conduct was compounded when tenants reported to the proper building officials the loose scaffolding banging in the near record winds. However, instead of immediately closing off the street below on a busy Saturday morning filled with shoppers, they chose to do nothing."

Attorneys

- Thomas A. Demetrio

Related Practices

- Personal Injury & Wrongful Death
- Premises Liability

More than 100 depositions of experts, management company, architects and structural engineers were conducted since the March 9, 2002 incident.

By the defendants' own admission through an audio taped meeting 17 days before the collapse, the scaffolding equipment was likened to the Pinto scandal of the 1970s that killed dozens of people because it was too expensive to re-tool the car. One defendant stated, "It's like building a Pinto. You put the gas tank in first and you worry about it later," referring to the fact that the defendants knew it was dangerous yet they did nothing.

A large section of the scaffold crashed on the car of two mothers who were trapped with the dead bodies of their daughters Melissa Cook, (Notre Dame '94), and Jill Nelson, (Purdue '96), while they awaited rescue. The mothers spent more than 30 minutes in the back of seat of the car while the Chicago Fire Department had to use the "jaws of life" to extricate them from the car.

Another car that was struck by steel debris was occupied by two women, one of whom suffered catastrophic brain and spinal cord injuries that rendered her a quadriplegic. They also had to be extricated from the car.

The defendants, who will share in the payment of damages, include the Shorenstein companies, the owners and managers of the Hancock Building; Eckland Consultants, Inc., of Chicago, the owner's consultant on the project; AMS Architectural Technologies Inc. of Illinois, the general contractor responsible for the day-to-day operation; McGinnis Chen AIA, Inc. of San Francisco, architects of the window improvement project for the building; and Tylk Gustafson, the engineers for the project.

For a free consultation with attorney Demetrio, or any other personal injury lawyer at Corboy & Demetrio, call 312.346.391. We are available 24 hours a day, 7 days a week.