

## \$2.15 Million Settlement for Couple Who Fell 4 Stories When Porch Railing Collapsed

June 3, 2008

Allison Gwin and Cem Karsan have settled their lawsuit against the owners of an apartment building for the injuries they sustained when they fell four stories after a porch railing collapsed. Gwin's case settled for \$1.15 million and Karsan's for \$1 million. Francis Patrick Murphy, a partner at the law firm of Corboy & Demetrio, represented both plaintiffs.

On Sunday, June 5, 2005, Karsan, whose lease was expiring on his fourth floor apartment at 439 West Webster, Chicago, was packing up his apartment. Gwin, came over and they went out for the evening. Later that night, Karsan and Gwin returned to the apartment and were standing on the outside back porch leaning against the wooden guard rail. Suddenly, the rail pulled away from the porch frame and Karsan and Gwin fell four stories to the ground below. Karsan, seriously injured, dragged himself out to Webster Street and yelled for help. A short time later, paramedics arrived and transported him and Gwin to the hospital. Among other injuries, Karsan's left leg was broken and required surgery. He was hospitalized for 5 days. Gwin suffered spinal, pelvic, rib and abdominal fractures, an injury to her lung, a broken shoulder and a concussion. She was hospitalized for 11 days. Both Karsan and Gwin have undergone extensive physical therapy. Both have returned to their respective careers.

"Like all railing and porch collapses, this occurrence was preventable by proper maintenance," said Murphy, who has represented numerous porch clients over his thirty-three year career. "The owner, who was an experienced carpenter, never tested for dry rot, even when he painted the porch and railings. A simple test with a 5 cent pencil would have prevented the lifelong consequences of these falls."

### Attorneys

- Francis Patrick Murphy

### Related Practices

- Construction Negligence
- Personal Injury & Wrongful Death
- Premises Liability

"With all the publicity surrounding the horrific and tragic Lincoln Park Porch Collapse, it's inconceivable that property owners still have not made the necessary inspections and repairs to their porches and that tenants are still having problems." Murphy added.