

Defendants in Lemont Refinery Accident Pay \$4.5 Million to Burned Pipe Inspector

August 23, 2004

In a pretrial settlement reached through mediation conducted by Judge Donald O'Connell, Citgo Petroleum Corporation, PDV Midwest Refining, Uno-Ven Co., Union Oil Company, and Smith Valve International have agreed to pay \$4.5 million to Bryan G. Castner, 27, to compensate him for burns he received while on the job. Corboy & Demetrio partners, Shawn S. Kasserman and Robert J. Bingle, represent Castner.

>Bryan worked for Elite Inspectors testing the thickness of pipes at a Citgo refinery in Lemont, Illinois. As part of his job, Bryan walked on pipes more than 3" in diameter. Unknown to Bryan, there had been a fire at the refinery in 1983, and the then-owners of the refinery, Union Oil Company, had replaced certain pipe valves with temporary valves supplied by Smith Valve Corporation. These temporary valves were later replaced with permanent hardware prior to Castner's injury.

On February 23, 1999, Bryan, then 23, stepped on a 6" pipe while measuring an adjacent pipe. The pipe he stood on broke, spraying 770° oil on Bryan. The liquid coated Bryan's entire person, from his helmet to his boots. Bryan then escaped an explosion by climbing over the pipes down to a ladder held by a coworker. It was later discovered that the pipe Bryan stepped on was still fitted with one of the temporary valves from the 1983 repairs.

Bryan sustained second- and third-degree burns on 22 percent of his body, including his face, hands, and feet. Protective clothing he wore prevented the rest of his body from being burned. Bryan was hospitalized for nearly a month after the accident and underwent several surgeries, including skin grafts. After a lengthy recovery period and intense physical and occupational therapy, Bryan returned to work and leads an active life. He has permanent scarring on his

Attorneys

- Robert J. Bingle
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lower legs, right hand, and both ears, and some discoloration on his upper lip. Bryan has since met and married his wife, Lisa, and now has a son, Drayk, and lives with his family in Cedar Lake, Indiana.

>Bryan's attorney, Shawn S. Kasserman, stated:

The size of the settlement reflects the tremendous pain and suffering endured by Bryan in the accident and during the following recovery period. The courage Bryan showed at the time of the accident and during his recovery make the financial security the settlement gives him all the more rewarding. I am very proud to represent such a fine young man.

The structured settlement will pay more than \$10 million if Bryan reaches his life expectancy of another 54 years. The settlement involves an immediate cash payout of \$2.2 million, with monthly payments of \$6,000 for the rest of Bryan's life, and various lump sum payments over time.