

Morris Worker Receives \$5 Million for Head Injuries

April 8, 2004

A maintenance technician from Morris, Illinois will receive a settlement valued at \$5 million for injuries he suffered while working at Fox Valley Press in Plainfield.

Thomas Benson, 54, was troubleshooting with an automated robotic forklift on February 25, 1998 when his head was pinned between the forklift and a stationary paper rack resulting in head injuries, blindness, and loss of hearing in one ear. As a result of these injuries, Benson is confined to his home.

Edward G. Willer and Thomas A. Demetrio of Corboy & Demetrio represented Benson and sued BT/SI Handling Systems for negligence in the design of the pathways on which the robotic forklift operated. Benson's lawsuit was based upon the theory that the defendant should have installed a passive infrared sensor which would shut down the forklift if workers were detected in the aisles. "These infrared sensors could easily have been installed at the Fox Valley plant," said Willer, "The forklifts were already equipped with optional sensor devices." The lawsuit which proceeded in U.S. District Court for the Northern District of Illinois, was dismissed today by Judge Blanche Manning, pursuant to settlement.

The settlement was reached at the conclusion of a mediation conducted by former presiding Judge of the Circuit Court of Cook County, Donald P. O'Connell.

According to Tom Demetrio:

This case is a poster child for why alternative dispute resolution plays such a valuable role in our civil system of justice at the beginning of this new millennium.

Attorneys

- Thomas A. Demetrio
- Edward G. Willer

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