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\$7.5M deal after fatal balcony fall

Construction crew detached guardrail then left for lunch

BY **JORDYN REILAND**
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The estate of an electrician who fell to his death while installing lighting on an apartment balcony has settled its wrongful-death lawsuit for \$7.5 million.

The agreement came Dec. 12 in plaintiff Angie Liskiewicz's lawsuit against CRG Residential LLC and its subcontractor Chris R.C. Schwartz, who does business as RC Construction.

Liskiewicz filed the suit in May 2015, alleging the defendants were negligent in failing to prevent the death of her husband, Scott Liskiewicz, by not properly securing a loose railing on the balcony of a job site.

Liskiewicz was represented by Philip Corboy Jr., Edward G. Willer and William T. Gibbs of Corboy & Demetrio P.C. The lawsuit alleged wrongful death and negligence.

The settlement was approved by U.S. District Judge John J. Tharp Jr. one month before a trial was to begin on Jan. 16.

Liskiewicz, 50, was employed by general contractor Urban Innovations. He was installing light fixtures at a Bellwood apartment complex in the near west suburbs on Nov. 18, 2014, when an-



Philip Corboy Jr.

other construction worker removed the balcony's railing to install siding.

Urban Innovations contracted all the exterior siding work to CRG LLC, a general contracting company headquartered in Carmel, Ind. CRG in turn hired Schwartz, a siding contractor, to perform the work related to the removal and replacement of the exterior siding.

The worker went to lunch instead of immediately reattaching the railing, which appeared to be secured, Corboy said.

RC Construction laborers were under the impression one of the workers was going to re-fasten the guardrail to the wall as soon as possible.

Later that day, Liskiewicz went onto the balcony of the maintenance building to change a light fixture. While on the balcony, an RC Construction laborer asked him to hand down a



Edward G. Willer

tool. In the process, Liskiewicz leaned on the railing and fell off of the balcony.

He sustained head and spinal cord injuries in the two-story fall and died three weeks later.

Attorneys for CRG Residential LLC argued they were not liable for a subcontractor's errors and omissions which led up to Liskiewicz's death.

Corboy's client alleged the liability against CRG Residential was based on two theories of negligence: direct liability and retained control. He said CRG exercised direct control of the subcontractor's work when they directed the crew to cut the guardrail.

In addition, CRG retained full supervisory control when it assigned the project supervisor to the job site, Corboy contended.

Liability related to RC Construction was clear, Corboy said. Its employees cut the guardrail,



William T. Gibbs

put it back into place without re-fastening it and went to lunch.

"This senseless tragedy, exemplified by a triad of construction-side blunders, took away the life of a loving husband, father and breadwinner. Miscommunications and sloppy work practices between the two defendants produced this fatality, which was clearly avoidable," Willer said in a written statement.

CRG Residential LLC was represented by Matthew J. Egan and Matthew J. Ligda of Pretzel & Stouffer Chtd. They could not be reached for comment.

Schwartz was represented by Richard J. Leamy Jr., Michael D. Barnes and Robert H. Fredian of Wiedner & McAuliffe Ltd. They could not be reached for comment.

The case is *Angela Liskiewicz v. CRG Residential LLC, et al.*, 15-C-4088.

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