

# Chicago Daily Law Bulletin®

VOLUME 169, NO. 8

LAW BULLETIN MEDIA

## Scrapyard death case is settled for \$13.5M

Man was crushed by bus while at work at salvage facility

**GRACE BARBIC**

[gbarbic@lawbulletinmedia.com](mailto:gbarbic@lawbulletinmedia.com)

The family of an 18-year-old man who was crushed to death by a school bus while working at a scrapyard in Chicago Heights accepted a \$13.5 million settlement.

Arlen J. Bradley was working as a truck inventory specialist for Wilkins Rebuilders Supply, Inc., a truck parts salvaging and resale facility in Chicago Heights.

Wilkins Rebuilders recycles vehicle parts, while its sister company, Brookfield Iron & Metal LLC, runs a scrapyard and recycling operation, according to the complaint.

Employees work at the same location, and both companies are owned by the Wilkins family.

Bradley was responsible for checking scrapped buses for salvageable parts, including by getting under the buses and marking where they should be cut up for parts.

On Aug. 24, 2018, an old school bus was allegedly delivered to the wrong location within the scrapyard, and Bradley went under it to check for parts.

Brookfield Iron's heavy equipment operator, Armando



**Edward G. Willer**

San Martin, who was responsible for keeping the yard clear and organized, saw the bus and proceeded to move it with a front-end loader vehicle.

San Martin allegedly moved the bus about 20 feet to a staging area, unaware that Bradley was still underneath, the complaint said.

The back wheels rolled over Bradley's head and chest, crushing him.

Mark Bradley, as personal representative of the estate of Bradley, brought wrongful death and negligence claims against Brookfield Iron and San Martin in the Circuit Court of Cook County.

He also brought negligence claims against the companies' outside safety consultant Horton Safety Consultants, Inc., and The Horton Group, Inc.

The suit alleged Brookfield Iron failed to have certain safety policies in place for those working underneath buses and vehicles, failed to



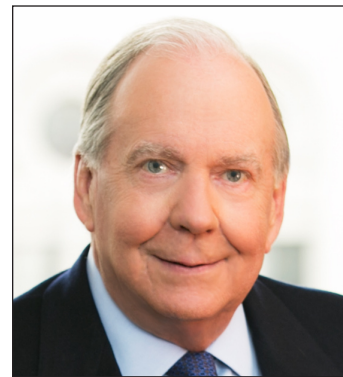
**Francis Patrick Murphy**

adequately train San Martin about potential scrapyard hazards and failed to provide a means of communication between its front-end loader's operator and Wilkins Rebuilders' inventory parts employees, among other claims. It also alleged that San Martin failed to check whether other employees were under the bus prior to moving it.

The claims against Horton concerned safety procedures, including allegedly failing to provide a scrapyard safety analysis for both Wilkins Rebuilders and Brookfield Iron employees to reduce the likelihood of fatalities or injuries.

The case was set for trial Jan. 4, but the parties came to an agreement Dec. 6. It was mediated before retired judge Donald P. O'Connell of O'Connell Mediation Services.

The settlement order was entered by Cook County Circuit Judge Kathy M. Flanagan on Dec. 30.



**Thomas A. Demetrio**

The estate of Bradley was represented Edward G. Willer, Francis Patrick Murphy and Thomas A. Demetrio of Cor-boy & Demetrio.

"The most striking thing about this case is that this occurrence was completely preventable if the company Brookfield Iron & Metal would have followed basic, elemental scrapyard safety rules," Willer said. "Arlen just graduated from high school and was doing a man's job, and the defendants failed to protect him."

Brookfield Iron was represented by Tobin J. Taylor of Heyl, Royster, Voelker & Allen, P.C. and Patrick W. Walsh of Patrick W. Walsh P.C.

Horton Safety Consultants was represented by Brian J. Riordan and Mitchel D. Torrence of Clausen Miller P.C.

Those attorneys could not be reached for comment.

The case is *Bradley v. Brookfield Iron & Metal, LLC, et al.*, No. 2019 L 003504.