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## Worker injured by conveyor belt gets \$3.25M

**EMMA OXNEVAD**

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

A Calumet City woman who suffered injuries to her arm after her sleeve was pulled into a conveyor belt received a \$3.25 million settlement.

Silvia and Jose G. Velasco sued conveyor manufacturer Eaglestone, Inc. and distributor Delano Conveyor and Equipment Co. in Cook County Circuit Court, alleging strict product liability and loss of consortium.

The plaintiffs alleged that Silvia, then 50, suffered injuries to her right arm when it was suddenly entrapped in an industrial conveyor machine while working as a line operator at the Carl Buddig & Company plant in South Holland in 2018.

The complaint alleged that the defendants, who designed the machine's safety features, did not ensure the safety of

the machine in question and noted that it was not designed, manufactured or installed with guards or sensors which would eliminate exposed pinch point areas.

Edward G. Willer of Corboy & Demetrio represented the Velascos.

He said Silvia, now 55, suffered a degloving injury to her right shoulder, which required surgery and resulted in a brachial plexus injury. She also suffers from post-traumatic stress disorder, he said.

Willer said the injury was caused by Silvia's work-issued frock getting caught in the machine and that the lack of a physical guard goes against industry standards.

He said the hierarchy of addressing defects in product liability law is to first design it so there isn't a defect, guard against it if not feasible and then, finally, warn against the defect.

Willer said Eaglestone admitted it was feasible to have a guard on the machine.

"This is a classical strict product liability pinch point case," he said.

Further, Willer said Silvia filed a worker's compensation claim against Carl Buddig & Company, which immunized it from direct action.

The defendants, he said, filed a third-party complaint against Carl Buddig & Company and it ultimately waived its worker's compensation lien and paid more than \$85,200. It is not party to the settlement.

Willer said Silvia now works four hours a day at a "light-duty job" for Carl Buddig & Company and the settlement will hopefully "facilitate a better lifestyle for both her and her husband."

Judge Brendan A. O'Brien presided over the case.



**Edward G. Willer**

The settlement was reached Dec. 15 and finalized Dec. 29.

Christopher J. Pickett and Howard T. Trafman of Lindsay, Pickett & Postel, LLC represented Eaglestone. They could not be reached for comment.

Christopher P. Zann of Cincinnati Insurance Companies represented Delano. He could not be reached for comment.

The case is *Velasco v. Eaglestone Inc., et al.*, No. 20 L 4197.