

CONSTRUCTION LAW REPORT

CONSTRUCTION ACCIDENT CAUSES ANKLE INJURY REQUIRING SURGERY TO NON-UNION ELECTRICIAN

*\$3,000,000.00 settlement for 30 year old non-union electrician
injured by cable wire spool that crushed his ankle during a
building renovation in Midtown Manhattan construction project*

COURT: SUPREME COURT OF THE STATE OF NEW YORK, NEW YORK COUNTY
CASE: *Naim Yilmaz vs. 305 BRG-IMICO, LLC, a/k/a 305 BRG-INTELL, LLC and
ROSS & ASSOCIATES, LLC*

ATTORNEY: SINEL & ASSOCIATES, PLLC, by trial attorney ELLIOT SINEL

RESULT: \$3,000,000.00 (THREE MILLION DOLLARS)

FACTS: Plaintiff, Naim Yilmaz, 30 years of age, was working as an electrician on a renovation construction project for a commercial office building in midtown Manhattan. While performing a wire pull with co-workers, a 1,500 pound spool of cable came off its supporting jacks and slammed into plaintiff, causing severe injuries to his ankle. During the complex litigation, Plaintiff's counsel filed a motion for summary judgment on liability under the New York State Labor Law Statutes. The Court granted the Plaintiff's motion and found that the defendants did not provide adequate safety and protection for Mr. Yilmaz in this gravity related accident. The case was moving forward to trial when the parties agreed to a settlement after mediation.

DAMAGES: Mr. Yilmaz suffered a fractured fibula and underwent open reduction internal fixation surgery to his ankle. The injury caused the Plaintiff to be on medication and undergo nerve block injections to cope with the pain. The Plaintiff made a claim for economic damages including loss of wages and future income. The Defense contended that the Plaintiff was capable of engaging in full-time employment.

Demonstrative Evidence: Plaintiff prepared medical illustrations of Open Reduction Internal Fixation surgical procedure depicting, plates, pins and screws that remain in Plaintiff's body.