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Man Awarded \$8.5M After Being Crushed by 2,800-Pound Transformer

By P.J. D'Annunzio

A man crushed and seriously injured by an electrical transformer weighing nearly a ton-and-a-half has been awarded \$8.5 million by a Philadelphia jury.

The verdict in favor of plaintiff Jason Pinnock was handed up Monday in Philadelphia Court of Common Pleas Judge Angelo J. Foglietta's courtroom after six days of trial and three hours of deliberation.

The jury found defendant Midway Services, the company taking delivery of the transformer, 65 percent causally negligent. National Delivery Services, the company Pinnock worked for, was found 35 percent negligent, but had previously settled under a joint tortfeasor agreement, according to Pinnock's counsel, David Kwass and David Langsam of Saltz Mongeluzzi Barrett & Bendesky.

Another defendant that went to trial, LJAY LLC, was found negligent but the jury determined its negligence was not causal to Pinnock's



KWASS



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injuries.

Pinnock was injured when the transformer, being offloaded from a truck, was pushed onto Pinnock by another worker at the job site. Pinnock suffered a fractured spine, pelvis, fibula and several torn ligaments.

"We were very excited by the jury's verdict," Kwass said. "It was clear in talking with them after the verdict that they did understand the issue that had been presented in the case and had worked very hard to understand what was going on."

He continued, "Though the lawyering on both sides was good, the verdict has much more to do with the fact that we had an outstanding client that the jury really liked. And I just had the good sense not to make too many mistakes and

not to snatch defeat from the jaws of victory."

Midway's attorney, Nicholas Salter of Fox Rothschild, and LJAY's attorney, Daniel Linn of Aversa & Linn, did not immediately respond to requests for comment.

According to the plaintiff's pretrial memorandum, as Pinnock "lay crushed and screaming on the ground" a group of workers attempted to lift the transformer off him by hand, but ended up dropping it on him again. A skid lifter was ultimately used to move the transformer off of Pinnock.

Midway blamed the accident not on the employee who pushed the transformer, but on Pinnock, who it claimed was inexperienced.

"Midway is not liable for this accident," the company said in its court papers. "Unknownst to Midway, plaintiff had been in the delivery business for less than four months and had no experience delivering objects of the size of this particular transformer."