

\$225,000 Settlement for Injury from Improperly Installed Trash Compactor

,Denville, NJ

Christopher L. Musmanno, Esq., Chair of the Personal Injury Department and Certified Civil Trial Attorney with the law firm of Einhorn, Barbarito, Frost & Botwinick, PC, Denville, NJ, announces a \$225,000 settlement for injury from improperly installed trash compactor.

Plaintiff was approximately thirty-five (35) years old on January 30, 2013. While he was in the course of his employment as a maintenance worker for a condominium association, he noticed two (2) hoses that extended separately from a miniature trash compactor in a building to a black motor that supplies hydraulic oil that pushes the piston and one (1) of the hoses (not at issue in this matter) was leaking slightly. While inspecting the hose that was leaking slightly, he grabbed with his left hand, the other non-leaking rubber hose which had braided-metal inside, which blew open while he was holding it, approximately 1.5 feet from its end, forcibly injecting, with great speed, hydraulic fluid into his left hand, causing severe injuries to his left hand. It was determined during the course of discovery, that the company that actually installed the trash compactor had installed the motor too close to the cinder block wall, allowing the rubber hoses to rub against the wall each time the trash compactor was initiated. Over time, the rubber on the hoses became weakened from rubbing on the cement wall, according to Plaintiff's liability expert. After the initial installation of the trash compactor, the company that installed it was also required to maintain it and they never inspected the rubber hoses or changed them, which ultimately led to this accident.

Plaintiff was left hand dominant and the explosion caused metal to open a hole in his thumb and caused hydraulic fluid to go into the hole at a high speed. He was hospitalized for eight (8) days and required surgery on the hand to remove the hydraulic fluid, leaving him with a 4 inch scar from his left thumb into the palm of his hand. Because the accident occurred during the course of his employment, a workers' compensation lien of approximately \$50,000.00 needed to be repaid. Prior to trial, the case was resolved for \$225,000.00 in favor of the Plaintiff.