

# \$550,000 Total Settlement for an Accident at a Construction Site

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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 in Denville, NJ, announces a \$550,000.00 settlement for an accident at a residential construction site.

In April 2015, Plaintiff was standing on a ladder in the course of his employment approximately fifteen (15) feet off the ground preparing a home for siding when a strong gust of wind came and knocked the ladder on which the Defendant was standing, to the ground. Note, extreme winds were predicted well in advance for the date of this occurrence.

As a result of the accident, Plaintiff sustained right lower extremity open comminuted displaced fractures to the right tibial and fibia shafts with overriding fracture fragments and a large soft tissue laceration. Injuries remediated by six (6) total surgeries:

1. Four-compartment fasciotomy with closed reduction and manipulation of the right proximal tibia fracture and application of a multi-planar external fixator;
2. Irrigation and debridement of the right proximal tibia fracture site with application of a VAC wound dressing and manipulation under anesthesia of the right ankle joint;
3. Open reduction and internal fixation surgeries to both the right tibial shaft fracture and bicondylar tibial plateau along with irrigation and debridement of the fasciotomy wound as well as the removal of the external fixation device; repair to the right medial meniscus; and application of a VAC dressing;
4. Irrigation and debridement of the subcutaneous tissue of the tibial plateau fracture, including both epidermis and dermis with application of a VAC wound dressing;

5. Irrigation and debridement of the right fasciotomy incision and application of a VAC wound dressing
6. Split-thickness skin graft.

Additionally he underwent three (3) blood transfusions, right knee manipulation, arthroscopy with chondroplasty and right knee partial menisectomy.

With the assistance of a mediator, the case was settled at a mediation hearing for the amount of \$550,000.00. The case remains open against a second Defendant and Plaintiff still has a pending workers' compensation claim against his employer.