

OR92-02-03

Construction Accident: Electrocution From Buried Edison Cable **\$1,342,160**

Plaintiff Attorney:	Johnna J. Hansen (Booth & Koskoff), Torrance	(213) 457-6651
Defendant Attorney: for Edison	R. Scott Walton (Bruggman, Smith & Peckham), San Bernardino	(714) 884-6254
for Inland Valley	Richard Hegner (MacCachlin, Burford & Arias), Victorville	(619) 243-7933
Trial Judge:	Donald Egan (retired) San Bernardino	1/30/92
Trial Time	12 days	Deliberation Time: 3 1/2 days
Insurance Co:	Aetna for Inland Valley Construction; Edison is self insured	
Case:	Wilson vs. Southern California Edison, Inland Valley Construction	VCV 013157

Facts: 2/4/88: Plaintiff, 27 year-old heavy equipment operator, was operating a backhoe. He was digging a trench in a new residential construction for the installation of a sewer line from house to street. The backhoe contacted and severed a 12,000 volt underground Edison cable. The backhoe was electrified and severely injured Plaintiff. Injuries: Mild brain damage, carpal tunnel syndrome, brachial plexus injury and reflex sympathetic dystrophy in right (major) arm. Residuals: Totally disabled and unemployable.

Medical Costs: \$20,000

Loss of Earnings: \$709,160.37 past & future.

Comp. Lien: \$71,000 approximately

Contentions: Plaintiff claimed that the location of cable was mismarked on property by Inland Valley Construction. It was only buried 32-38 inches deep. This was in violation of Edison custom and practice of burying 12,000 volt cable at a minimum of 48 inches.

Defense argued that the cable was properly buried per G.O. 128 and the locations was properly marked. The accident resulted from Plaintiff's own negligence or negligence of employer. They disputed the brain damage, extent of injury to right arm and disability. Defense impeached regarding missing Edison accident report.

Settlement: Offer: \$100,000

Demand: \$1,000,000 at MSC, reduced to \$400,000 - \$500,000 first day of trial.

Verdict: \$1,342,160.73 total, \$729,160.37 economic, \$613,000 general damages. 10% to Inland Valley, 90% to Edison.

Jury Poll: 12-0

Plaintiff Experts:	Selby, Richard Pickersgill, Joyce Collins, Monte	Neurologist Economist Excavation	Santa Ana Santa Ana Orange County
Defense Experts:	Ashwahl, Stephen Barkle, Reo Kopanski, Robert	Neurologist Electrical Engineer (retired) Excavation (DWP),	Loma Linda San Bernardino Los Angeles
