

Injured Electrician Collects \$695K After Fall

Temporary staircase collapsed at home construction site

By **CHRISTIAN NOLAN**

Jonathan Love v. Colonial Builders LLC et al: An electrician who fell a couple flights onto a concrete basement floor while working on a newly constructed home being built in Harwinton settled his case for \$695,000.

Love, of Canton, was inside the house that was under construction on April 27, 2004 doing electrical wiring work after the framing of the home had been completed.

Love, 31 at the time, was walking up a temporary staircase. While between the first and second floors, the staircase collapsed, causing Love to fall all the way down onto the concrete basement floor.

Love injured his back in the fall, which has caused him chronic pain ever since. His attorney, **Michael D'Amico**, of **D'Amico, Griffin and Pettinocchi** in Watertown, said despite his bad back injury, he was fortunate not to have been paralyzed from the fall.

Love suffered cuts and bruises throughout his body; but even after they healed, his mid to low back has remained in pain. However, D'Amico said Love's back problems did not show up on any MRIs or CT Scans.

"The injuries to the naked eye would be invisible but for Mr. Love's complaints of pain," said D'Amico.

Love's injuries left him unable to return to the job he had, but while he was hurt he went back to school, D'Amico said. Love now works in the lighter duty job of an electrical draftsman. The new job pays Love more than he earned previously, which according to D'Amico, was a point of contention by the defense



Law Tribune File Photo

Watertown attorney Michael D'Amico said the temporary staircase that collapsed and injured his client was poorly constructed, as the carpentry company that built it secured it with just two nails.

to their lost wage claims.

"Because he's such a hard worker, as the case progressed, he was earning substantially more money than he had been at the time he was injured," D'Amico said.

The carpentry company responsible for the temporary staircase, Delcon LLC and its insurance company agreed to a settlement with Love for \$600,000, said D'Amico. The other \$95,000 must be paid by the general contractor of the home, Brian Morin. Morin was uninsured and must pay the full amount. Not surprisingly, Morin has yet to make the payment, which D'Amico said was already due.

Temporary staircases are used inside on construction sites so workers do not have

to continually use a ladder. D'Amico said that, through depositions, he found that the one in Harwinton was not secured or built properly. D'Amico discovered it was secured with just two nails. The defendants admitted to typically using four.

D'Amico said he also hired a carpentry expert who concluded that this particular staircase was not secured properly. The expert would have testified at trial in New Britain Superior Court had the parties not agreed to settlements.

Delcon LLC, responsible for the temporary staircase, was represented by **William Corrigan** of **Howd & Ludorf** in Hartford. Corrigan did not return calls for comment. ■