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Structured Settlements
By Seeley Capital

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CAPITAL MANAGEMENT

Mechanic struck by pallet truck, loses leg

Defendant's training allegedly falsified; \$2.5 million settlement

Published: 2:14 pm Wed, August 10, 2011

By Mass. Lawyers Weekly Staff

On Sept. 11, 2009, a forklift driver/mechanic was struck by a rider pallet truck operated by a delivery person from the defendant seafood company.

The defendant operator had no training on the pallet truck and did not know the basics of its operation; nevertheless, he and his

employer maintained a certificate of training, upon which the plaintiff's employer relied in expecting safe operation of the vehicle.

The plaintiff suffered serious and permanent injuries to his legs, excruciating pain and emotional suffering from the loss of his left leg below the knee.

The plaintiff has been permanently prevented from transacting his usual business and has incurred substantial medical expenses, which are expected to increase as his rehabilitation continues.

A day-in-the-life video, vocational assessment and economic loss report were helpful in the parties arriving at a satisfactory resolution at mediation.

Action: Negligence & tort

Injuries alleged: Below-knee amputation

Case name: Withheld

Court/case no.: Withheld

Jury and/or judge: N/A (mediated)

Most helpful expert: Dana Hewins

Amount: \$2.5 million

Date: May 19, 2011

Attorneys: Stephen W. Sutton and Donald P. Healy, Law Offices of Stephen W. Sutton, Brockton (for the plaintiff)



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