

2000 WL 33707268 (N.Y.Sup.)
For Dockets See [0022767/1997](http://www.courtlistener.com/doc/2000/02/27/0022767/1997/)

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Supreme Court, Second Judicial District, Kings County, New York

PLAINTIFF V. NEW YORK CITY HOUSING AUTHORITY; RED VALLEY CONSTRUCTION, INC.; TROCOM
CONSTRUCTIO

No. 22767/97

DATE OF VERDICT/SETTLEMENT: June 12, 2000

TOPIC: FALLDOWN CONSTRUCTION AT HOUSING PROJECT - REFLEX SYMPATHETIC DYSTROPHY

SUMMARY:

AWARD: \$715,000

RESULT: Settlement

Facts Janet Y. Wassmuth of Caulfield, Heller, Harris & Ryan, Manhattan, for Red Valley Facts This action settled before opening statements for \$715,000. Pltf., a 37-year-old unemployed woman, claimed that she discovered the concrete landing had been removed from in front of her building at the Red Hook Houses Project on 9/24/96

EXPERT WITNESSES:

Plaintiff: Dr. [Irving Friedman](#); Neurology; Brooklyn, NY

Defendant: Dr. [Gary Solomon](#); Pediatric Rheumatology; Manhattan, NY Dr. [Richard Radna](#); Pediatric Neurosurgery; Manhattan, NY

ATTORNEYS:

Plaintiff: [Adam M. Orlow](#); Law Offices of Steven S. Orlow; Flushing, NY

RANGE AMOUNT: \$500,000-999,999

STATE: New York

COUNTY: Kings County

INJURIES: Reflex sympathetic dystrophy in the right leg. Pltf. underwent four nerve blocks at Kings County Hospital and claimed no relief. Pltf. claimed that her condition was not expected to improve. Red Valley's medical expert agreed that Pltf. had reflex sympathetic dystrophy. Defts. contended that the injury was not as serious as Pltf. claimed. Settlement apportionment: \$25,000 was paid by Trocom and NYCHA; \$690,000 was paid by Red Valley. Carrier: Travelers for Red Valley.

SUMMARY:

Insurance Carrier: Travelers for Red Valley

FACTS:

Janet Y. Wassmuth of Caulfield, Heller, Harris & Ryan, Manhattan, for Red Valley Facts This action settled before opening statements for \$715,000. Pltf., a 37-year-old unemployed woman, claimed that she discovered the concrete landing had been removed from in front of her building at the Red Hook Houses Project on 9/24/96. She was attempting to leave the building and had a baby niece in a carriage with her at the time. Pltf. further claimed that the ground was muddy, so she called to a Red Valley worker to help her. She claimed that he laid down three planks for her to walk on and that he pushed the carriage. Pltf. claimed that when the worker stepped on the second plank the back of it went up in the air and came down on her foot. The exit Pltf. came out of was the only exit to the building. Pltf. claimed that all Defts. failed to ensure safe access to the building while the work was being done. She also claimed that the Red Valley employee failed to secure the planks to the ground or each other. She further claimed that NYCHA and Trocom negligently

supervised Red Valley. Trocom was the general contractor and Red Valley was the subcontractor. At his EBT, Red Valley's president testified that it was a Red Valley employee that moved the planks. At the employee's EBT, the employee denied moving the planks.

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