

Families of killed construction workers settle claims for \$14.5M

■ BY BILL CRESENZO

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Nejina

The families of three construction workers who were killed in an accident have confidentially settled a lawsuit against a subcontractor, a general subcontractor, and an equipment manufacturer for \$14.25 million, their attorneys report.



Bystrynski

David Kirby and Bill Bystrynski of Edwards Kirby in Raleigh, Chuk Umerah of Fayetteville, and Adam Nejina of Raleigh report that the three injured workers were undocumented immigrants, and that complicated their case. But Kirby said that the size of the settlement reflects the fact that a jury would likely be sympathetic because of the unsafe conditions that the men were working under.



Kirby

“This was a case in which companies cut corners on safety to try to complete the job faster,” Umerah added. “It was a completely preventable accident.”



Umerah

The attorneys said the case was further complicated by the fact that witnesses to the deaths were also undocumented immigrants, and so they were reluctant to come forward. Moreover, some of those witnesses were working under assumed names, making it dif-

ficult to track them down.

Neijna made appeals in the Latino community through the Spanish-speaking media for witnesses to come forward. It worked, bolstering the plaintiffs’ case, the attorneys said.

Due to a confidentiality agreement, other details about the settlement, including the names of the defendants and their attorneys, were unavailable..

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SETTLEMENT REPORT — WRONGFUL DEATHS

Amount: \$14.25 million

Injuries alleged: Three deaths

Case name: Confidential

Court: Confidential

Date of settlement: June 2020

Attorneys for plaintiffs: Adam Nejina of Raleigh, David Kirby and Bill Bystrynski of Edwards Kirby in Raleigh, and Chuk Umerah of Fayetteville

Attorneys for defendants: Withheld