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Man hurt on job gets \$4.5 million

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A Corsicana man who suffered an electrical shock while installing gutters on an Arlington home has won a \$4.5 million settlement from Texas Electric Service Co. and four other parties.

The settlement was finalized Friday in the court of 348th District Judge Michael Schattman. The case was to have gone to trial Monday.

Matthew Glen Turner — whose forearms had to be amputated after the April 1984 accident — and his Houston attorney, Richard Mithoff, appeared Friday in Schattman's court.

In the settlement, Turner, 24, received \$3.5 million from TESCO and \$625,000 from the homeowners, William and Frances Bondurant. Turner also won \$320,000 from two Arlington area contractors — identified in court papers as Jim Bush of Arlington and Lane Supply of Arlington — and \$50,000 from the city of Arlington.

Turner filed the lawsuit in Janu-

ary 1985, seeking \$9.5 million.

A Midlothian resident at the time of the accident, he has since moved to Corsicana and is helping his father run a hardware store there.

"I guess he'll be able to take care of that child," Schattman said. Turner's wife is expecting a baby.

When the accident occurred, Turner was working for a sheet-metal firm installing gutters on the roof of a one-story house in Arlington. Defendants in the case produced an eyewitness who said that Turner, for an unknown reason, grabbed the electrical line and was shocked.

Mithoff, a personal injury specialist, countered that Turner would have had to jump in order to grab the power line. Mithoff theorized that Turner accidentally touched the electrical line with a piece of metal.

Turner's suit claimed the power line was too close to the rooftop and that TESCO should have moved the line. The suit claimed the Bondurants and the two contractors should have stopped work until the

line was moved, and that the city of Arlington should have forced TESCO to move the line.

Mithoff said Friday afternoon from his Houston office that there was no evidence that Turner or anyone else had asked TESCO to move the power line.

TESCO had little to say Friday about the suit.

"The suit was conducted in a court of law," spokesman George Hedrick said. "We'll have to abide by the ruling."

The Bondurants were unavailable for comment.

Arlington Risk Manager Peter Potemkin said the city was notified Friday afternoon that the case had been settled but that he hadn't discussed it with the insurance company that handled the case for the city.

"Often insurance companies will want to settle if they're even leery that there may be liability," Potemkin said. "We feel that's what they've done in this case."