

\$3,000,000

Fall Through a Skylight **PRODUCT LIABILITY**

FACTS: Decedent, a 45 year old construction worker, was working on the roof of an industrial building. He was in the process of installing vents for a spray (paint) booth. While on the roof, he stepped on a flush-mounted polycarbonate skylight panel. The skylight gave way. He fell through the skylight hitting the concrete floor approximately 30 feet below, sustaining multiple traumatic injuries. He died shortly after the accident.

CONTENTIONS: Plaintiffs claimed that the skylight was improperly installed by an unlicensed and uninsured contractor who was hired by the occupant of the property, that the installation violated the Uniform Building Code, that the skylight was not properly guarded, and that the occupant had allowed paint overspray to escape through the roof vents and cover the roof with paint so that it was not apparent where the roof ended and the skylight began. Plaintiffs also claimed that the skylight had a manufacturing defect and should not have failed and that the skylight had inadequate installation instructions and warnings. Defendants claimed that decedent was an experienced construction worker and was familiar with being on roofs and that he knew the facility had skylights and should not have stepped on it. Defendants also claimed that decedent was not paying attention at the time of the incident as to where he stepped since he was talking on his cell phone and wearing tinted sunglasses while walking around on the roof. Defendants also claimed that decedent should have worn a safety harness and/or lifeline which would have prevented his injuries even if he fell through the skylight.

INJURIES: Death of a 45 year old construction worker who was survived by a wife of nine years and two children, ages nine and nineteen.

CHACON v. ROYAL TRUCK BODIES, INC., et al.

CASE NUMBER: TC 018439

LOS ANGELES SUPERIOR COURT