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Trucker Who Lost Legs in Cargo Accident Settles for \$10.6M in Allegheny County

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Of the Legal staff

A truck driver who lost his legs when a 5,000-pound steel pipe rolled off his truck during the unloading process and crushed him has settled his lawsuit against Dura-Bond Coating Inc. for \$10.6 million.

According to a Wednesday news release, plaintiff Robert "Rick" Ryder of Mercer was represented by **Dominic Guerrini and Patrick Fitzgerald of Kline & Specter in Philadelphia**, and Dallas M. Hartman and Patrick L. Sullivan from Dallas W. Hartman P.C. in New Castle.

The case settled in the middle of depositions and was based in the Allegheny County Court of Common Pleas.

Ryder, a truck driver since 1988, sued Dura-Bond for allegedly failing to properly inspect the cargo—consisting of eight 42-foot-long steel pipes—or to secure the load after receiving shipment, or to stop the unloading process once the danger was discovered, according to Kline & Specter.

He also alleged that he should have been moved away from the hazard area by the defendant during the Dec. 24, 2013, incident. Ryder was 53 at the time.

"Although this case presented many challenges, we take great pride in being able to help Rick obtain the significant compensation he deserves," Guerrini said in a statement

Wednesday. "This settlement demonstrates that rigorous workplace safety policies and practices are not optional."

Dura-Bond's counsel, John Argento of Swartz Campbell in Pittsburgh, did not respond to a request for comment.

According to the plaintiff's settlement memorandum, "Dura-Bond yard workers responded to the incident and attempted to pull Mr. Ryder from the pipe. Although they were able to free him, Mr. Ryder's right foot had been traumatically amputated and remained underneath the pipe."

A yard worker described Ryder's leg as looking like a "soup bone," according to court papers.

After being freed, Ryder was rushed to the UPMC Mercy Hospital for treatment.

"There, Mr. Ryder underwent emergent surgery to salvage his extremities. Unfortunately, the injuries were too severe and extensive," court papers said. "Mr. Ryder subsequently underwent subsequent revision and surgical amputation procedures due to his injuries resulting in a right below-the-knee amputation and left above-the-knee-amputation to his lower extremities."

According to Dura-Bond's answer to the plaintiff's complaint, "Defendant maintained a safe working environment at all relevant times."

It continued, "Defendant implemented numerous safety policies and procedures for all of its employees

regarding all tasks that are relevant to the instant matter, including the loading and unloading of pipes, and the operation of various types of equipment."

Dura-Bond claimed that Ryder failed to exercise the due care that would have kept him out of harm's way, according to papers.