

\$10M+ Settlement in Death of Kindergartener Crushed by Table



by KYW's John Ostapkovich
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A \$10 1/2 million settlement has been reached in a lawsuit stemming from the death of a Philadelphia kindergartener nearly three years ago.

The settlement on behalf of the estate of five-year-old Jonathan cozzolino comes in the same week the case was to start trial in Philadelphia Common Pleas Court.

Cozzolino was killed February 1, 2001, when a 350-pound folding lunch table fell over on him at Disston Elementary School in Northeast Philadelphia.

Ten million dollars of the settlement comes from the table manufacturer, and plaintiff's attorney [Thomas Kline](#) says that is appropriate:

"The table was a tipping hazard. It had a high center of gravity. It was something that was known not to pass the tests that it should have passed."

Kline says the Philadelphia School District failed to maintain and handle the table properly. Its \$500,000 liability is capped by law.

Kline calls this a tragedy that could have been avoided.