

District of Columbia

Superior Court

Hotel Hit with \$1M Verdict for Electrical Shock Injuries Suffered by Door Technician

Case Caption:

Rajindra Heralal v. Hyatt Corporation

Verdict: \$1,050,000

Judge: Natalia Combs Greene

Date of Verdict: 12/21/2011

Attorneys:

Plaintiff: Bruce M. Bender, Rockville
David W. Shineman, Rockville

Defendant: Thomas P. Ryan, Rockville
Kathleen A. Fawcett, Rockville

Facts: A door technician was seriously injured when he suffered a significant electrical shock while working on a revolving door at a hotel. He sued the hotel owner, who disputed liability and causation. A District of Columbia jury returned a \$1,050,000 verdict for the plaintiff.

Plaintiff Rajindra Heralal was an employee of a subcontractor which was doing work at Defendant Hyatt Corporation's Grand Hyatt in the District of Columbia. Plaintiff was installing a motor for the revolving door and was attempting to bolt it in place. According to plaintiff, he twice asked the building engineer to shut off the electricity in the area in which he needed to work. Unaware of the fact that the electricity had not been shut off per his request, plaintiff began installation of the motor and suffered a severe electrical shock.

Among other claims, plaintiff alleged OSHA violations on the basis that defendant was the qualified individual to have had the knowledge of how to turn off the electricity, but failed to do so or test to ensure it was done properly. Plaintiff underwent six surgeries, one of which involved neck fusion. The other surgeries related to joint replacements, including bilateral hip replacements and replacement of the left shoulder due to avascular necrosis. Plaintiff presented testimony that the electricity caused a lack of blood flow to the joints and intravascular coagulation, causing them to die.

Defendant denied liability and contested causation. Defendant's expert testified that there was no medical literature to support plaintiff's assertions regarding his injuries, other than three review articles and none in the United States.

Plaintiff Profile: Plaintiff was a 45-year-old male who worked as a door technician.

Alleged Injury: Extensive injuries, including intravascular coagulation in the hips and shoulders, necessitating joint replacement. Plaintiff also suffered injuries to the neck, which required fusion surgery. Plaintiff claimed \$300,000 in medicals and \$1,200,000 in lost wages.

Jury Deliberations: 9 hours

Insurance Carrier: Erie

Expert(s):

Plaintiff: Charles F. Mess, M.D.
Orthopedist Columbia, MD

William McNamara, D.C.
Chiropractor New London, CT

William J. Launder, M.D.
Orthopedist Laurel, MD

Terry R. Lane, P.E.
OSHA Expert Pinehurst, NC

Defendant: Richard H. Conant, M.D.
Orthopedic Surgeon Chevy Chase, MD

David S. Hungerford, M.D.
Orthopedist Baltimore, MD

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