

\$2 Million Dollar Product Liability Settlement

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Injured Amusement Park Worker Wins Settlement

By Margaret McHugh
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A painter who was crushed when a 1,000-pound ride toppled on him working at Six Flags Great Adventure won a \$2 million settlement, averting a trial set to begin Monday, his lawyer said yesterday.

Terrence Irwin, 46, of Lower Bucks County, Pa., was painting a fence on March 31, 1999, when an employee for the ride manufacturer, Zamperla Inc. in Parsippany, turned on the new Tweety Bird ride, which hadn't been bolted to the ground, according to legal papers in the case.

The ride, which stands 18 feet high with a 5-foot base, fell over, crushing Irwin's lower abdomen and pelvis, and leaving him disabled, his attorney, David Mazie of Livingston, wrote.

The father of four suffered breaks in his spine and pelvis, as well as damage to some of his organs. He was hospitalized for more than three weeks following the accident.

"Is he always in pain? Yes," said Mazie, noting that \$700,000 of the \$2 million settlement is for lost wages.

Patock Construction Co. in Tinton Falls will pay the bulk of the settlement, \$1.5 million. The company was the general contractor on the installation of the new ride and responsible for safety, according to court papers.

Company Superintendent Richard Terry admitted he knew the ride was supposed to be bolted to the ground, but he said it was left unbolted so that it could be relocated if need be, court papers showed.

Zamperla, the ride manufacturer, will pay \$400,000 because company representative Paul Davis was at the site and didn't make sure Patock bolted the ride.

Davis also started the ride's motor without making sure it was secured, according to Mazie.

Calls to Patock Construction and Zamperla were not returned. Six Flags must pay the balance of the lawsuit, \$100,000.

"It's an excellent settlement," Mazie said.

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