

# **\$12.7M Verdict for Workers Burned in Metal Furnace Explosion**

Two men who suffered significant burns over much of their bodies won a \$12.7 million award from a Pennsylvania jury. The injuries were the result of a metal furnace exploding, showering both men with 3,000 degree Fahrenheit molten metal, an article in the Pittsburgh Post-Gazette reported.

Rudolph Paci, 45, suffered burns over 65 percent of his body and required skin grafts that resulted in 95 percent of his body being disfigured. James Sutch, 44, suffered burns over 22 percent of his body, with 33 percent permanently disfigured. He was able to eventually return to work.

In addition to his disfigurement, Mr. Paci's sweat and oil glands were destroyed, leaving him without the ability to regulate the temperature of his body or skin moisture. He is unable to work and will require lifetime medical care.

While most workers would expect to have a job-related injury such as this covered by the workers' compensation insurance of their employer, because of the nature of the accident, Paci and Sutch had an additional option.

They filed a lawsuit against the manufacturer of the furnace, Inductotherm Group of Rancocas, New Jersey, and the manufacturer of the furnace lining, Allied Minerals of Columbus, Ohio, and Vesuvius USA Corp. of Carnegie.

Inductotherm was judged 50 percent liable by the jury and the two other companies were liable for 25 percent of the damages award. The liner of the furnace failed, allowing the molten metal to contact a copper coil filled with ethylene-glycol/water mixture. The resulting explosion was described as "like a volcano" by the attorney for the two men, the Press-

Dispatch reported.

## **Workers' Compensation and Third-Party Claims**

Because the two men did not work for manufacturers of the furnace or its component parts, they were able to bring what is known as a third-party liability lawsuit. Third-party lawsuits are allowed where, as here, the employer (the second party) is not directly responsible for the damage.

The flaw in the furnace was such that a reasonable person looking at it, could not have discovered that it might fail, and could not take action to stop that failure – a design or manufacturing defect existed that only the manufacturer could have discovered.

If you have been injured at work, you should speak with an experienced workers' compensation attorney who can review the facts of your accident and advise you of both your potential workers' compensation benefits, and any third-party [personal injury claims](#) you may have.

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