

NEW YORK CITY FULL INDEMNIFICATION AND REIMBURSEMENT OF DEFENSE COSTS

HAWORTH
BARBER & GERSTMAN, LLC

Scott Haworth obtained full indemnification and reimbursement of hundreds of thousands of dollars in defense costs in this matter involving a fire escape accident in which a piece of fire escape from our client's Soho building fell, killing a 52-year-old father of three and causing traumatic brain injury to a young woman in her 20s. The building had timely undergone its Local Law 11 inspections and was undergoing such an inspection when the inspector employed by the co-defendant engineering firm fell through the fire escape, causing a heavy piece of metal to fall to the ground 7 floors below. The inspector almost fell through but caught herself and was unharmed. We impleaded both the engineering firm and the contractor that performed the work and developed evidence that the contractor had failed to properly strip the fire escape's paint during the prior Local Law 11 inspection, instead leaving corrosive material on the fire escape causing premature corrosion, enabling the fire escape to fail. Further, the engineering firm failed to properly supervise the work. Based on those facts and the indemnification and additional insured clauses in our client's contracts with these entities, neither our client nor its insurance carriers paid any portion of settlements that totaled eight figures and all defense costs were reimbursed.



Scott Haworth

212.952.1101

Scott.Haworth@hbandglaw.com