

# Phoenix Gazette

STREET FINAL

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## Injured worker awarded \$1.9 million

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A man who has lived the life of a hermit since a 1983 construction accident left him without control of his body functions was awarded \$1.9 million for his permanent injury by a Maricopa County Superior Court jury.

Frank Sanchez, 51, of Yuma won the award from Brinderson Corp., the primary contractor for a federal desalinization plant being built near Yuma. Sanchez blamed the corporation for not following federal safety regulations.

"He was pleased with the jury's decision," said Silas Shultz, one of Sanchez' two attorneys. "It won't change his injury but will provide him with the money to maybe find somebody who can help him with his incontinence."

Sanchez was unable to attend the three-week trial because of his lack of control over his body functions and was not present to hear the jury's verdict on Monday afternoon.

During the accident, which occurred June 18, 1983, he was impaled on a rebar, a steel rod used to reinforce concrete. The 5/8-inch rod ran

through his spine.

Because he could not be lifted off the rebar without causing further injury, rescue workers spent 45 minutes cutting the rod in two and transported Sanchez to the hospital where the steel bar was removed surgically.

His injury resulted in permanent numbness in his vital organs and to his legs, making it impossible for him to control his body functions.

"It's humiliating, and I can't cope with it," Sanchez told the jury on the only day he was in court. He fasted 24 hours before going to court to testify on his own behalf.

"If he could spend all of this money (from the jury award) and get his nerve function back, he would do it," said attorney Shultz. "Maybe he can improve his life a little bit. The jury did a marvelous thing for him. Maybe it will brighten his life a little."

Defense attorney Bradley Jardine said, "No decision has been made on a possible appeal of the verdict."

Sanchez, who was a journeyman carpenter with 21 years' experience, was repairing a concrete form on a wall of the desalinization plant when another worker reportedly kicked the form and caused Sanchez to fall. He landed on the rebar below his work area, sustaining the permanent medical problem.

While Shultz did not ask for a specified amount of money during the trial, he did present a formula to the jury during closing arguments. The amount was based on the monetary value of a 51-year-old man.

"I figured a whole man at his age would be worth X amount," Shultz said. "Doctors said he is 75 percent disabled, so I multiplied the value of a whole man by 75 percent and came up with \$1,923,340.17. The jury came back with that amount, less 17 cents."

The jury also determined that Sanchez was 5 percent to blame for the accident, while Brinderson Corp. was 95 percent responsible, so 5 percent will be deducted from the final award.