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In the News

March 18, 2008 Volume: 154 Issue: 54

In Circuit Court

A former deckhand who lost part of his right leg in an accident on the Chicago River has received a record-setting \$4.5 million settlement, his attorney said.

James Talbot, then 24, was trying to attach an empty barge already in tow to another empty barge at about 1 a.m. in September 2004. When he stepped from one to the other, he slipped on some gravel and his leg was crushed between the two barges.

Talbot argued negligence due to the absence of adequate lighting; a failure to paint the deck edges in contrasting colors; the presence of loose gravel; improper training, and a lack of adequate supervision. The settlement, reached on Thursday, is the highest award stemming from a lawsuit filed under the Jones Act in Cook County Circuit Court, said [John L. Kirkton](#), editor of the Jury Verdict Reporter. The federal act addresses employees who work on water.

Talbot was represented by [John J. Perconti](#) and [Rick J. Wittmer](#) of Levin & Perconti and [David K. Kremin](#) of David K. Kremin & Associates P.C. The defendant was represented by [John A. O'Donnell](#) of Belgrade and O'Donnell P.C. and [Robert A. Carson](#) of Gould & Ratner LLP.

[Donald P. O'Connell](#) handled the mediation. The case was last assigned to Circuit Judge [Thomas P. Quinn](#). *James Talbot v. Material Service Corp.*, No. 06 L 3431.