

# Ohio Edison negligent in death

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PLAIN DEALER REPORTER

A Summit County Common Pleas jury yesterday found Ohio Edison Co. guilty of negligence in a wrongful death and personal injury suit.

The jury will reconvene before Common Pleas Judge Glen Morgan this morning to consider damages sought by one of the four plaintiffs. Separate deliberations on the other three claims are scheduled at different times. The four claims total \$11.25 million.

The suit grew out of an accident in 1989 that killed a Medina man and injured three others as they maneuvered a scaffold into contact with uninsulated power lines carrying 13,200 volts. The four were placing metal siding on a nearby building and were moving the scaffold around the work site at the time of the accident.

The suit was brought by Danna Thompson, of Medina, widow of James Thompson; Steven Shelton of Middleburg Heights; and Geoffrey Hogan and Christopher Pearl of Medina.

Danna Thompson is seeking \$8 million in damages. Her claim will be considered today. Hogan, whose claim is to be considered June 24, wants \$3.5 million. Shelton, whose claim is to be heard Oct. 28, wants \$1 million; Pearl's \$750,000 claim is to go before a jury Sept. 12.

The jury absolved Rustgo Co. of Spencer, Neb., Ohio Edison's co-defendant. Rustgo made the scaffold and was accused of making a defective product that did not provide adequate protection against electric shock, or provide a proper warning.

Six of eight jurors voted to absolve Rustgo. A majority of the jury decided the plaintiffs were negligent when they moved the scaffold.

But the jury found Ohio Edison negligent in the death of James Thompson.

## Edison

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Edison and the plaintiffs shared the blame. Though the cases of four plaintiffs were merged into one trial, the jurors returned a separate verdict for each plaintiff. The jurors also assigned precise values to the degree of negligence in each case.

Six jurors found that Ohio Edison was 60% negligent in Thompson's death, and Thompson himself 40% negligent. But seven jurors voted yes on the question of whether Thompson was negligent. The percentages mean that if the jury awards Danna Thompson \$2 million, she collects \$1.2 million. Ohio Edison was found to be 90% negligent in Pearl's injury, 60% negligent in Shelton's, and 75% negligent in Hogan's.