

# The Legal Intelligencer

THE OLDEST LAW JOURNAL IN THE UNITED STATES 1843-2011

PHILADELPHIA, MONDAY, MAY 21, 2018

An **ALM** Publication

## \$30M Accord Reached With AT&T, Others Over Technician's Fall From Cell Tower

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*Of the Legal staff*

AT&T and other companies have agreed to pay a total of \$30 million to a technician who fell 50 feet down from a telecommunications tower, leaving him incapacitated.

The settlement was announced by **Kline & Specter**, which represented the guardian of Thomas Jeglum, who is currently in a full-time neurological rehabilitation facility in California.

Jeglum's guardian, Russell Marshall, sued AT&T, its subsidiary New Cingular Wireless PCS and engineering company B+T Group related to the Allentown cell tower alleging that their negligence led to a ladder rung dislodging, causing Jeglum to fall.

"The family of Tommy Jeglum and we are gratified that we were able to adequately compensate him and provide for first-class care for the rest of his life," Shanin Specter said in a statement issued Monday.

Along with Specter, Jeglum was represented by attorneys Michael A. Trunk and Patrick J. Fitzgerald, also of Kline & Specter, and their co-counsel in the litigation, Robert Buccola, Jason Sigel and Marshall

Way of the northern California firm of Dreyer Babich Buccola Wood Campora. The case was filed in the Philadelphia Court of Common Pleas.

William J. Conroy of Campbell Campbell Edwards & Conroy in Berwyn represents AT&T and referred a request for comment to an AT&T spokesman.

"We are glad this case involving one of our vendors has been resolved. We hire companies that are experts at tower construction and maintenance, and require them to abide by standards that reflect our focus on worker safety," the spokesman said in an email Monday. "In addition to strict compliance with state and federal laws and regulations, our contractors must fully train and conduct background tests on those working on our projects. Contractors who violate the conditions of their contracts are subject to termination."

The accident occurred June 15, 2013, when the then-23-year-old Jeglum was working on the tower, preparing to install telecommunications equipment. While climbing to the top of the tower and wearing a climbing harness, the rung to which Jeglum was attached broke off, according to court papers.

Jeglum was in a coma for several months and sustained a permanent traumatic brain injury and fractures to his pelvis, spine, arm and legs. Marshall claimed that AT&T was at fault for not having a safe, permanent climbing apparatus installed on the tower.

"Despite the fact that the vast majority of its telecommunications towers in the region—as many as 95 percent—had a permanent safety climb system, at no point did AT&T install a permanent safety cable on the Woodlawn tower," the plaintiffs' court papers said.

AT&T said in its court papers that periodic inspections of the towers are performed, and there were no concerns raised about the Woodlawn tower prior to the 2013 accident.

"Those periodic assessments consisted of assessing the overall condition of the site, including inspecting the equipment housed within the shelter at the base of the tower, inspecting the tower base and foundation for structural damage and integrity, and checking ground components for rust and corrosion. An AT&T radiofrequency field technician, Eric Schaffer, conducted such an inspection on Jan. 8, 2013, just six months prior to the subject acci-

dent, and he did not identify any concerns regarding the tower,” AT&T’s court papers said.

B+T Group, which includes subsidiary BTE Management Group, said in its own court papers that “the BTE defendants were never hired to perform a safety inspection of the Woodlawn Tower.”

“The evidence adduced in discovery has shown that the BTE defendants were retained to perform geotechnical investigation, foundation mapping with rebar investigation, and tower mapping,” the BTE defendants said in their court papers. “The purpose of the tower mapping was to perform a structural analysis which would include preparation of construction drawings for the equipment to be installed on the tower. None of these tasks involved performing a safety inspection of the tower and informing AT&T or Jacobs of any safety issues. The BTE defendants were also not expected to perform a safety inspection, as it was not within the scope of work which they were contracted to perform.”

Counsel for the BTE defendants, Cathleen Rebar of Stewart Bernstein Rebar & Smith, could not immediately be reached for comment.