

# NYC Woman Sues Over Hell's Kitchen Crane Collapse

By *Elliot Weld*

Law360 (August 3, 2023, 4:50 PM EDT) -- A woman who says her car was smashed by a crane that caught fire and collapsed at a high-rise construction project in New York City's Hell's Kitchen neighborhood filed suit against the crane's operators in state court Wednesday.

Attorneys for Marcy Olin, 59, of New York, said she suffered "severe emotional distress" on July 26 as she watched the crane collapse from inside her car, which was smashed by falling debris. Olin's spouse Michael Tierney is included as a plaintiff for a claim alleging loss of consortium.

**"We filed today's lawsuit — which we believe to be the first filed arising from last week's disaster — to obtain answers as to why the 550 Tenth Avenue project's crane caught fire and collapsed, to hold accountable those responsible for its collapse, and to seek compensation for our injured clients," Olin's attorney Patrick Fitzgerald of Kline & Specter PC said in a statement. "All of us rightly expect that cranes will be constructed safely, inspected regularly and properly, and operated carefully to avoid disasters such as the one we witnessed in Manhattan last week."**

The incident, which was filmed by passersby and broadcast on local news, occurred when a fire sparked in the engine, power plant and cab compartment of the crane while its operator, defendant Christopher Van Duyne, was hoisting 16 tons of concrete with it, according to the suit. The suit claims the fire was sparked by a defective hydraulic line in the crane that its operators should have known about.

The other defendants named are New York Crane & Equipment Corp., JF Lomma Crane & Rigging, Monadnock Construction Inc., Go Covenant LLC and Gotham Organization Inc.

Van Duyne could not be reached for comment. A representative for Monadnock declined to comment. The remaining defendants did not immediately respond to requests for comment.

The fire caused the crane's 180-foot boom to collapse from more than 40 stories up, hitting a building across the street and sending the boom and other debris onto the streets below. Olin was sitting at an intersection and observed people panicking and running on the street as they

watched the destruction above, according to the suit. Olin saw and heard the debris fall and cause damage to her car and feared for her life, the suit reads.

According to Olin's attorney, numerous people were injured in the incident, including firefighters and other workers. More than 200 emergency rescue workers responded to the scene, the firm said in a statement.

The suit alleges that Olin's distress was caused by the negligence and carelessness of the defendants. They failed to conduct proper maintenance on the crane, have adequate fire extinguishing equipment on it or provide protection to people in the vicinity.

The suit alleges violations of federal occupational safety regulations and the New York Code of Rules and Regulations.

Marcy Olin and Michael Tierney are represented by Patrick Fitzgerald of Kline & Specter PC.

Counsel information for the defendants was not immediately available.

The case is Marcy Olin et al. v. New York Crane & Equipment Corp. et al., case number 157677/2023, in the Supreme Court for the State of New York, New York County.

--Editing by Scott Russell.