

WILLIAMSPORT SUN-GAZETTE

Man injured in lawnmower accident awarded \$2.3 million

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A local business was found liable in a civil case involving a rollover lawnmower accident that resulted in injuries to a Williamsport man.

Harold Getting and his wife, Veronica, were awarded \$2.3 million by a Lycoming County jury in the case.

"The jury compensated them justly in my view, **Jim Waldenberger, of Kline & Specter**, Philadelphia, the plaintiff's attorney, said.

The case stems from allegations that Marks Sales and Leasing, Williamsport, was negligent for repeatedly recommending Getting rent a mower smaller than the one he previously owned and also did not use stabilizing weights.

Getting, 74, was injured when the mower he was operating on his property tipped over and his foot got stuck underneath the machine.

He lost part of his toe and foot as a result of the accident.

"He is left with a pretty severe amputation along with neuropathy," Waldenberger said. "Now, he uses a cane."

Waldenberger said Getting was assured by a salesperson that the mower could be used on his property despite its sloping landscape.

He noted that an owner's manual for the mower was not issued to Getting.

However, Waldenberger said there was acknowledgment on the part of the plaintiff that he accept some responsibility for the accident.

A label warning on the machine indicated that the mower became unstable on severely hilly terrain.

Getting was awarded \$1.5 million for pain and suffering and \$300,000 for disfigurement. His wife was awarded \$500,000 for loss of consortium.

Lycoming County Judge Eric Linhardt presided over the trial.

Mark Sales and Leasing officials declined comment on the case.

Efforts to reach Richard Polachek, the defendant's attorney, were unsuccessful.