

[Products Liability Law Daily Wrap Up, JURY VERDICTS—INDUSTRIAL AND COMMERCIAL EQUIPMENT—Cal. Super.: Children of man crushed to death by defective conveyor system awarded \\$30M by California jury, \(Mar. 22, 2018\)](#)

Products Liability Law Daily Wrap Up

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By Kathleen Bianco, J.D.

A jury in Los Angeles, California, awarded \$30 million to the three minor children of a man killed in a rock crushing machine that was not equipped with an emergency stop cord, as required under California Division of Occupational Safety and Health regulations. The complaint asserted claims based on product liability, negligence, negligence per se, and survival arising from the death of the minor children's father caused by a defective and unreasonably dangerous conveyor system used to crush rocks (*Anaya v. General Equipment and Supplies, Inc.*, March 19, 2018).

The decedent was a 34-year-old father of three who was crushed to death when he was working at an asphalt facility in Corona, California. The fatal injuries occurred when the decedent's pant leg became entrapped between the moving parts of the conveyor system, resulting in multiple, traumatic crush injuries and eventually mechanical asphyxia. It was alleged that the conveyor system was defective and unreasonably dangerous because it was not equipped with a guard and it lacked an emergency stop cord. The [complaint](#), which was filed against a number of entities—including the manufacturer of the conveyor system and the decedent's employer—by the decedent's domestic partner on behalf of herself and the decedent's three minor children, sought to recover general damages; medical, hospital, and incidental expenses; loss of earnings resulting from the father's death; and the costs of suit and any other relief deemed appropriate by the court.

Jury findings. Following a trial, the jury answered "yes" to the question "[w]as the design of the portable cone crusher unit a substantial factor in causing harm to [the decedent]," and "no" to the question "[d]id the benefits of the design of the portable cone crusher unit outweigh the risks of the design." Having determined that the risks of the design did not outweigh the benefits, the jury assessed the damages suffered by each of the decedent's children based upon loss of love, companionship, care, moral support, etc., at \$5 million each for past loss and \$5 million each for future loss, for a grand total of \$30 million. The jury went on to allocate the percentage of responsibility between the manufacturer of the cone crusher and the decedent's employer. Pursuant to the jury verdict, the manufacturer was responsible for \$21 million in damages, while the employer was responsible for \$9 million.

The case is No. [BC594187](#).

Attorneys: Donald G. Liddy (Liddy Law Firm) and David R. Shoop (Shoop APLC) for Johnny Anaya, Ezekiel Anaya, and Delila Anaya, by and through their Guardian Ad Litem Eliza Perez. John Kaniewski (Walsworth WFBM, LLP) for General Equipment and Supplies, Inc.

Companies: General Equipment and Supplies, Inc.; R.J. Noble Co.

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