

Blackstone Man Awarded \$650,000 in Negligence Suit.

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A jury in Suffolk Superior Court, Boston, yesterday awarded an approximate \$650,000 negligence settlement to Ernest J. Cardin, 54, of 189 Elm St., Blackstone.

According to Cardin's attorney, Frederic N. Halstrom of Boston, the Blackstone man sued the Gillette Co.'s Safety Razor Division in South Boston and the Macdonald Company Inc. of Quincy, in connection with an accident Oct. 28, 1978.

At the time of the accident at Gillette's plant, Cardin's age was 49, his attorney said. The 15 day trial before a 13-member jury of five women and eight men began Oct 11, and deliberations started Friday. That marked the fifth anniversary of the mishap that has kept Cardin from working.

When the accident occurred, Cardin was employed by the Coast-to-Coast Company Inc. of Woonsocket. The city firm was hired by MacDonald Company as a subcontractor to clean an underground saltwater intake tunnel at Gillette. The water is used for air conditioning and cooling machines.

As Cardin climbed down an iron-rung ladder leading into the tunnel, two of the steps broke and Cardin fell about 20 feet to the bottom of the concrete cylinder that was drained, Halstrom said.

The fall broke a bone in Cardin's left heel, fractured his fibula and tibia where they enter his right knee and caused a compression fracture of the lower portion of his spine.

Because of the fall, Cardin has had his knee cap removed and will have to have the knee replaced sometime in his 60s, according to the attorney.

In addition, Cardin has to walk with a cane and the injuries have led to an aggravated back condition.

The jury found Gillette was negligent for not warning Cardin of the condition of the ladder, which the company removed after the incident. MacDonald was ruled negligent for violating federal Occupational Health and Safety Administration regulations indicating the contractor should have known about the defective ladder, the attorney explained.

Of the settlement, Cardin will receive \$600,000 for loss of future and past income. Also, his wife, Jeannine has been awarded \$22,500 for loss of companionship: his son,

Michael, who was 15 at the time of the accident. will get \$10,000 for loss of companionship, and another son, Andrew, who was 12, will receive \$15,000.

Halstrom said he and his co-counselor, Paul P. Baillargeon of Woonsocket, had originally filed a \$1 million suit. Judge Hubert Abrams presided of the trial.

Halstrom said the decision could influence workmen's compensation and Social Security disability payments Cardin is receiving.

The attorney pointed out that Cardin was found 24 percent negligent because the jury felt that as a foreman, he should have checked the ladder because of possible saltwater corrosion.