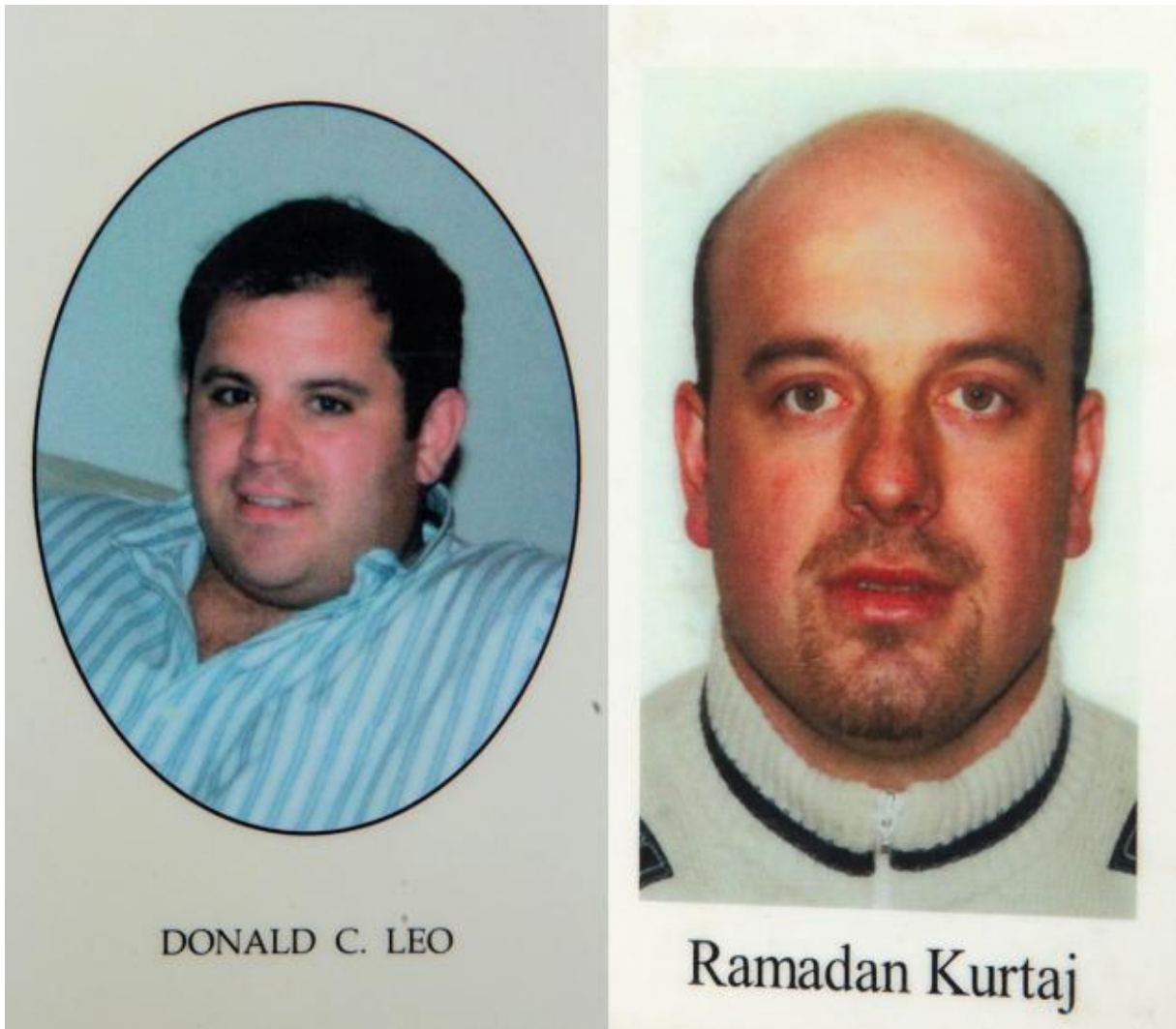


# **Manhattan jury urged to add \$200M more for families of construction workers killed in 2008 crane crash**

BY [Barbara Ross](#)

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Jefferson Siegel/for New York Daily News

**Construction worker Ramadan Kurtaj, 27, (right) and crane operator Donald Leo, 30, (left) died in a 2008 crane collapse.**

A Manhattan jury that awarded more than \$48 million to the families of two construction workers killed in a 2008 crane collapse were urged on Friday to add more than \$200 million in punitive

damages to that sum.

"You have the opportunity to do what the Department of Buildings was unable to do, the District Attorney was unable to do .. change the way business is done in the construction community in New York," attorney Michael O'Neill told the panel.

O'Neill was speaking for the families of Ramadan Kurtaj, 27, who was crushed to death after the crane collapsed on him on E. 91st Street and Donald Leo, 30, of Staten Island who died with his hands folded in prayer as he fell 14 stories while inside the crane's cab.

### **Crane pain lingers for family of victim Ramadan Kurtaj**

The crash resulted in criminal case against crane owner James Lomma who was acquitted of charges.

Lomma's lawyer Glenn Fuerth said the jury's compensatory damages were punishment enough and punitive damages to the families of the deceased should be limited to \$1.5 million each.



Marc A. Hermann/for New York Daily News

## **The crash resulted in criminal case against crane owner James Lomma who was acquitted of charges.**

"Your punitive damage should not put these companies out of business," Fuerth said.

Fuerth argued that the mere fact that punitive damages were imposed because the jury found Lomma's conduct to be "wanton and reckless" was enough of a "stigma" on Lomma and his myriad of companies.

### **Kin of 2 workers killed in 2008 crane crash on Upper East Side awarded \$50 million**

Fuerth said Lomma's tax returns show he's cleared about \$1.4 million in annual income over the last decade. "He's not poor but he's not a gazillionaire," Fuerth said.

O'Neill said the income tax returns for Lomma and his companies are misleading because they are saturated with deductions for expenses that Lomma created by effectively renting equipment to himself.



Lombard, Mariela

**Bernadette Panzella, the Leo family attorney, reminded jurors that Lomma knew for weeks before the accident that the weld in the turntable of the crane cab was faulty but he never warned the 125 construction workers who bolted from the site when the crane tipped into a luxury building across the street, sending residents diving to safety.**

Jurors laughed out loud when O'Neill mocked Fuerth's argument as suggesting that Lomma would need food stamps if the damages were too high.

### **Tearful vigil held for construction worker Ramadan Kurtaj killed in crane collapse two years ago**

Bernadette Panzella, the Leo family attorney, reminded jurors that Lomma knew for weeks before the accident that the weld in the turntable of the crane cab was faulty but he never warned the 125 construction workers who bolted from the site when the crane tipped into a luxury building across the street, sending residents diving to safety.

"This is a vertical city we have and it's up to you to speak for our community and say you can't do this anymore," she said.

The panel of four women and two men will be return Monday to hear legal instructions and then decide on punitive damages. They were shoed out of the sweltering courthouse prematurely on Friday afternoon after electrical problems turned off the lights and air conditioning.