

‘King of Cranes’ lawyer to jury: ‘He’s not good looking’

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James Lomma

The attorney for self-styled “Crane King” James Lomma tried to paint his client as a pathetic, cash-strapped regular Joe — who’s unattractive to boot — to a jury deciding how much the magnate should pay in punitive damages for the double-fatal 2008 construction accident.

“He’s not a braggadocio, he’s not good looking, he’s not personable,” said Lomma’s lawyer Glenn Fuerth, who last week quipped, “You know I don’t have Brad Pitt as a client,” referring to the bespectacled, overweight Lomma.

On Friday Fuerth argued that his client can't withstand a large financial hit.

"Mr. Lomma is not the kind of guy who can build a company back. He can't if he's intentionally sending out defective equipment," Fuerth said.

The litigator was trying to convince the jury that his client did not know his Kodiak crane would collapse when he put it on an E. 91st Street job site.

"I submit to you again there is no evidence that Mr. Lomma or anyone from his companies intentionally did anything to cause this accident," Fuerth said.

Attorneys for the victims' families—crane operator Donald Leo Jr. and construction worker Ramadan Kurtaj—claim the collapsed machinery was caused by a faulty bearing Lomma ordered from a cheap Chinese supplier.

On Thursday the jury decided to issue punitive damages on top of a \$48 million compensatory verdict to teach Lomma and other construction magnates a lesson about following safety regulations.

Fuerth asked the four-woman, two-man jury to award only \$3 million in punitive damages.

In his pity party of an argument Fuerth said— after costs and deductions — Lomma made nothing in 2009 and 2010, and only \$374,000 in 2013.

"I'm not going to stand in front of you and say that Mr. Lomma is a poor person, however he is also not King Midas where everything he's got is gold," Fuerth said.

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The scene of the crane collapse on the Upper East Side in 2008. Photo: AP

But the poverty plea was countered by Michael O'Neill, attorney for the widow of Ramadan Kurtaj.

"When Mr. Fuerth is telling you go easy on Mr. Lomma because he's going to be getting food stamps you don't have the whole picture here," O'Neill said as one of the male jurors threw his head back and laughed at the joke.

O'Neill went on to paint a fuller picture.

Financial records show that Lomma's made \$12.6 million in income and another \$420 million in revenue from three of his companies from 2006 to 2013, O'Neill said.

"That's how much money has gone through these companies and it has ended up somewhere but we can't tell where based on the tax returns," O'Neill said.

O'Neill asked the jury to award \$175 million in punitive damages to Kurtaj's family while lawyer Bernadette Panzella requested \$75 million for the Leos.

Donald Leo Jr's brother, Shawn Leo, also called Fuerth's bluff.

"I just think it's a ridiculous attempt to try and distract the jury from the truth—that [Lomma's] an extremely wealthy man who's hid his money over the course of the last several years," he said.

The jurors, who were dismissed early because the Manhattan Supreme Courthouse lost power including air-conditioning and functioning toilets, start deliberations on punitive damages Monday.