



\$700,000 for Workplace Eye Injury

By Mary Gallagher

Esquit v. Chiellini Construction Inc.: A general contractor paid \$700,000 on Oct. 27 to a worker whose eye was ruptured by a nail while using a nail gun without safety goggles.

Denis Esquit, then 19 and an employee of Moskal Carpentry in Garfield, was helping build a home in Park Ridge on Feb. 20, 2008, when a nail from the gun allegedly bounced off the wood and penetrated his right eye.

Esquit, of North Bergen, was taken to Valley Hospital in Ridgewood and trans-

ferred to New York Eye & Ear Infirmary for emergency surgery, says his lawyer, *John O'Dwyer*, of *Ginarte, O'Dwyer, Gonzalez, Gallardo & Winograd* in Newark. Doctors repaired the ruptured globe and a corneal laceration and replaced the lens in his eye.

Three more rounds of surgery in 2008, 2009 and 2010 again

placed a new lens in his eye, fixed a retinal tear and twice repaired a detached retina.

Esquit remains at risk of further retinal detachment, glaucoma and cornea failure that would require a transplant, says O'Dwyer. His right eye vision, formerly 20-20, is now 20-200 and he has lost fine visual acuity, must use topical medication daily and has eye pain.

General contractor Chiellini Construction Inc. of Park Ridge settled the Hudson County case on Sept. 29 through mediation with retired Bergen County Superior Court Judge Daniel Mecca, now with the Mecca Law Firm in Paramus.

O'Dwyer says company president Louis Chiellini admitted at deposition he did not know the federal safety rules, did not require a safety plan from Moskal and never inquired about what Moskal was doing about eye protection.

Defense lawyer *Brian Murphy* of *Montvale* confirms the settlement.



John O'Dwyer