

Local attorney successfully negotiates \$500,000 settlement for two Doe Run Brushy Creek miners

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EDWARDSVILLE

– Injury attorney **Ronald J. Foster, Jr.** has successfully negotiated Workers' Compensation settlements for two men seriously injured in a Missouri mining accident from which they received more than \$500,000.00 in benefits.

A fall at **Doe Run Brushy Creek** lead mine in Reynolds County, Missouri left the two men immobile.

In the early morning hours of Nov. 7, 2013, miners Roger Barton and Delbert Nichols worked to clear rock fragments from the ceiling and walls of the mine. This practice, called scaling, is routine after blasting. It requires miners to ride in an aerial lift basket and use a 6-foot, 20-pound aluminum pole fitted with a steel bit to clean up fragments left after blasting. The aerial basket used by Barton and Nichols suddenly collapsed, and the men fell some 25 feet to the ground below. They were severely injured.

“My clients have experienced a very traumatic work place accident,” explained Foster.

After the fall, Mr. Nichols was unconscious for a time, and Mr. Barton could see a bone protruding from his leg. Neither man was able to move or seek help. After the men did not return for a scheduled break, co-workers searched for them. They were evacuated and taken by ambulance to the highway, where a helicopter waited to transport them to St. Louis for emergency medical treatment.

Both Barton and Nichols sustained multiple severe injuries in the fall. The highly traumatic impact caused Mr. Barton’s left knee cap to break in multiple places. Injury to his left shoulder was repaired with surgery. He also suffered four broken ribs, a sprained ankle, and lower back injury.

Mr. Nichols sustained multiple injuries to his face and neck, including his jaw and sinus bones and multiple tooth fractures. He also suffered pulmonary (lung) contusion. His neck injuries resulted in decompression and fusion surgery.

Ron Foster ensured Roger Barton and Delbert Nichols were compensated for the expenses of their critical care, time off work for recovery, and permanent partial disability. “I am thankful that we were able to ensure Roger and Delbert received the care they needed to recuperate,” said Foster.