

Boy gets \$19 million after TV fell on him

By Michael Higgins
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A Cook County jury awarded \$19 million Monday to a 13-year-old boy who suffered severe brain injuries in 2003 when a television fell on him at a private school on Chicago's Northwest Side.

Mariano Hernandez was a 9-year-old student at St. Genevieve School, which is run by the Archdiocese of Chicago, when the incident occurred.

Mariano's class was preparing to watch a videotape on Oct. 30, 2003, when he tried to help move a 27-inch television bolted high up in a stand on wheels, said the family's lawyer, Stephen Passen of Chicago.

"The whole thing came right down on him," Passen said Monday. "It was unstable. . . . It should never have been in an environment with kids."

Archdiocese officials admitted liability in the case, and there was a two-week trial before a jury and Cook County Circuit Judge Thomas Flanagan to determine damages.

"This was an accident," archdiocese spokeswoman Susan Burritt said Monday. "Certainly, the archdiocese has been primarily concerned for the future of this young person."

The award included \$7.1 million for future expenses, \$5 million for "loss of a normal life," \$2.4 million for lost earnings, \$2 million for disfigurement, \$2 million for pain and suffering, and \$518,000 for medical expenses.

Archdiocese officials had not decided whether to appeal the damage award, Burritt said.

Mariano was in 4th grade and working at that grade level before he was hurt, Passen said. He said the boy is now an 8th grader in special education who works at a 3rd-grade level.

The suit faulted the school's equipment, not the performance of any teacher, Passen said.

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