

Construction Defect, Business Interruption, Federal Court, Settlement

Defended the installer of helical anchors in the collapse of a television tower in Camden County, North Carolina. The tower came down in a wind storm when the guy wire anchors pulled free from the ground. The case involved a television station based in Norfolk, Virginia. Numerous suits were filed, including three in the United States District Court for the Eastern District of North Carolina, two in the United States District Court for the Eastern District of Virginia, and one in the Superior Court of Camden County. The seventeen defendants included contractors, subcontractors, design engineers, and manufacturers of various components. Numerous cross-claims and counterclaims were filed. Damages for the replacement of the tower and lost revenues of the television station exceeded \$20,000,000. The primary liability issues revolved around the design and installation of the helical anchors and the oversight of the project by a number of engineering firms. The firm's client was a primary target because it had actually installed the anchors that failed. After extensive and exhaustive discovery, the case settled during the fourth day of mediation. The carrier for the installer of the anchors was able to settle the case for the cost of defense due to the fact that it was able to show that the primary cause of the collapse was faulty design rather than installation.