

# Award in mishap with mower rises to \$1.6 million

By Arn Shackelford  
The Grand Rapids Press

A \$1.3 million Kent Circuit Court jury verdict, awarded to a Grand Rapids couple after a 1982 lawn mower accident left the husband a quadriplegic, has ballooned into a \$1.6 million out-of-court settlement.

Herman Slanger, 75, and his wife, Isabelle, will receive a check for that amount from Toro Co. Monday — six years and a day after Slanger was injured.

Slanger's lawyer, Keary Sawyer, said his client's award — "straight cash, not structured" — is the first in the county to exceed \$1 million.

Sawyer sued the Minneapolis-based Toro on Slanger's behalf in April 1985, claiming his client was paralyzed because his lawnmower was defective.

The lawsuit charged the mower had a defective traction system which engaged "on its own" as Slanger pushed the machine down an incline in his yard at 2610 Coit Ave. NE.

When the system engaged and the mower "lurched forward," Slanger fell down the slope and broke his neck, an accident that left him paralyzed and forced his move into a nursing home, Sawyer said.

Following a 16-day trial before

*The out-of-court  
settlement reportedly is  
the first in the county to  
exceed \$1 million.*

Kent Circuit Judge Woodrow A. Yared, a jury awarded Slanger \$1.36 million. But Toro appealed the amount, Sawyer said, and a trial was pending before the U.S. Court of Appeals.

But Toro decided to settle instead, Sawyer said. Toro general counsel Vernon Johnson was unavailable for comment Friday.

Because of interest and costs, the 1986 verdict had grown to \$1.9 million by the time an agreement was reached in late April, Sawyer said. "The interest keeps running until the judgment ultimately is paid, and this year it was running at \$630 (in) interest a day," he added.

Sawyer and Toro attorneys eventually settled on a \$1.6 million cash award, he said. The Slangers are to receive the money — of which they will receive two-thirds, Sawyer one-third — at 11 a.m. Monday in Sawyer's office, he said.

Toro attorneys continued to deny their client's responsibility for Slanger's injuries, Sawyer said.

## BASIC TR Railroad car mo

By Yvonne Runion  
The Grand Rapids Press

GRAND HAVEN — Even at about 5 feet 7 inches tall and 130 pounds, Jeffrey Dupilka has enough power and energy to move a train.

Dupilka on Friday commanded some 20 burly men and two cranes in moving an 80-foot-long, 90-ton Pullman railroad car from behind Tri-Cities Museum here to his construction company in Allendale.

And he kept his eye on every motion.

One moment he would be ducking under the railroad car, and the next, standing by the driver's cab of one of the cranes. At the same time, he continuously signaled in every direction with his hand.

Dupilka, a railroad enthusiast, bought the railroad car this month from the museum for \$4,000. The Allendale businessman is known for his flair for unusual and challenging projects like Friday's mammoth task of lifting the car, wheels and tracks onto flatbed trucks.

"They're fun. Fun is the only reason for work," Dupilka said of his jobs. "Fun projects are hard to find."

Dupilka, who also owns a train engine, renovated a fire station a few years back in Allendale and turned it into a fire engine muse-