

# Secured Voluntary Dismissal in Negligence and Strict Product Liability Case

This suit arose out of an industrial accident in which plaintiff operated a vertical machining center to make an aluminum part. During operation of the machine, the aluminum part dislodged, flew through the plexiglass window on the machine and severely injured the plaintiff's left arm. Medical was over \$600,000. Our client, the manufacturer of the plexiglass window on the machine, was defended against claims for negligence and strict products liability. After considerable discovery and the retention of an expert witness, we were able to convince plaintiff's counsel to voluntarily dismiss our client, reasoning that the plexiglass window was well within acceptable industry and ANSI standards, that the likelihood of success against our client at trial was low, and we would only add an additional defense voice in the courtroom.

## PROFESSIONALS

Patrick J. Lubenow  
Of Counsel

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