

# Jury awards \$1.28 million to man hit by truck

By MARK SEAVY  
Hour Staff Writer

NORWALK — A Superior Court jury has awarded \$1.28 million to a 62-year-old Stamford man hit by a cement truck in 1982.

The six-member jury's award — the highest in the Stamford-Norwalk judicial district in three years — was given Wednesday to Angelo P. Viesto, who still

carries a metal pin in his right leg as a reminder of the Aug. 3, 1982 accident near Genovese Industries Inc. in Stamford.

"I absolutely don't think that is a penny too much," Stewart

M. Casper, Viesto's co-counsel along with Victoria DeToledo, said. "I wouldn't trade places with him for \$1 million, would you?"

The jury of five women and one man deliberated 3½ hours Wednesday before deciding the award at 3:30 p.m. Casper said the jury took 15 minutes to decide liability and the balance of deliberations were over the amount of the award.

Viesto, a former cement truck driver for Genovese, suffered a severely fractured right femur — an injury that has never completely healed. A metal pin stretches from his right hip to the bottom of the femur bone just above the knee. The pin holds together the fractured segment.

"Skip, it's only money because I'm still crippled," Viesto said to Casper after the verdict referring to the attorney by his nickname.

According to testimony during the trial, Viesto and the truck's driver, Thomas Greco of Norwalk, who was also employed by Genovese, finished a conversa-

tion seconds before the accident.

Viesto testified that Greco stated he was going to "pull the truck into the yard," which he believed meant the vehicle was going forward. The Stamford man then walked south on Davenport Street in Stamford when the vehicle began to back up. Viesto was hit in the back by the truck's rear bumper throwing him five feet into the street's gutter.

"This was a devastating injury for him," said Casper adding Viesto was forced to retire after 28 years with Genovese. "You are talking about a man who lost his means of livelihood."

Officials at Crum and Forster Insurance Co. of Glastonbury, Greco's insurance carrier, said no decision had made on an ap-

peal, but declined further comment. A motion to set aside the judgment must be filed by Tuesday to safeguard a possible appeal.

Julian A. Sohon Jr., Greco's attorney, was not immediately available for comment.

During the trial, Viesto made claim to over \$171,000 in past and future medical expenses and lost wages. Lost wages through Dec. 31, 1989 were estimated at \$122,686.

A metal pin was inserted into Viesto's right femur during surgery in 1982. The injury kept Viesto out of work until September 1983 when he went back and continued work despite pain for three years, Casper said.

Viesto continues to walk with a limp and "pain is experienced

during everyday activities," including both walking and sitting, according to the lawsuit.

During the trial, Dr. Henry M. Rubinstein testified the pin could be removed, but the bone would always be weak. Viesto has suffered a 40 percent permanent disability from the injury, Casper said.

Casper said usually the pin would be removed 18 months after it was inserted, but both the fracture's failure to heal and Paget's disease require it remain. The disease causes bones to become enlarged, weak and deformed.

In the coming years, Casper said Viesto could require two more operations — one to remove the pin and another to replace it.