

South Carolina Family Settles Lawsuit Over Fire-Related Workplace Death

The family of a man who died from severe burns he suffered in 2015 while working at a paper plant in North Charleston has settled the wrongful death suit filed in his case after jury selection in the U.S. District Court in South Carolina.

Terms of the settlement, filed in U.S. District Court Judge David C. Norton's court, are confidential.

According to a release from the firms representing the plaintiffs, Brian Allen, 43, of Summerville, was on a lift at the plant performing welding work above several tanks of solution. The tanks should have contained non-flammable sodium hydrosulfide used in paper manufacturing. However, later analysis by the plaintiffs' experts would show one or more of the tanks actually contained gasoline, which ignited and severely burned Allen. He suffered for eight months before succumbing to his injuries.

Allen's family filed suit against the companies that supplied the sodium hydrosulfide and the companies that transported it. The paper manufacturer was not a defendant in the case.

"An intense three-year litigation battle can be very difficult emotionally for a family which has already experienced a traumatic workplace injury and death," said **James E. Payne**, partner at **Provost Umphrey**, who represented Kristie Allen, Allen's widow. "This resolution will allow Kristie and the rest of the family to put the litigation behind them and try to focus on the positive memories of Brian as best as they can."

The case required the taking of over 40 depositions and the

production of over 45,000 pages of documents. There were more than 200 exhibits.

“Kristie Allen and the Allen family suffered a great loss,” said Provost Umphrey attorney **Matthew Matheny**, who also represented Mrs. Allen. “We are very pleased that the settlement will financially serve Mrs. Allen and her family for many years to come. After a long and contentious litigation, a degree of justice has been served.”

“To my knowledge, this was the largest post-jury selection settlement of a plaintiff’s wrongful death and survival action in the U.S. District Court for the District of South Carolina in recent memory. I was honored to serve as lead local counsel on behalf of the Allen family,” said Motley Rice LLC lawyer **Marlon Kimpson** who along with attorney **W. Taylor Lacy** also represented Mrs. Allen.