

## \$6M settlement for family of teen electrocuted in pool

By: Bill Cresenzo | January 29, 2019

The family of a teenage lifeguard who was electrocuted when she entered a swimming pool has confidentially settled a wrongful death lawsuit against multiple defendants for \$6 million, the family's attorneys reported.

The 17-year-old was an experienced lifeguard, and her employer assigned her to a neighborhood pool where she had never worked before, said David Kirby and Bill Bystrynski of Edwards Kirby in Raleigh and Adam Neijna, also of Raleigh, who represented her family.

She arrived early to clean the pool following a storm the day before. She got into the pool, apparently to clear some debris, and was electrocuted, the attorneys said. The official cause of death was electrocution and terminal immersion in water. She floated in the pool for hours until another lifeguard arrived and discovered her body.

The attorneys said that a short in the pool pump motor and improper wiring electrified the pool's water. A ground wire leading to the breaker box, which should have shut off power once the short in the motor occurred, had deteriorated, broken, and lost connectivity, the attorneys said.



Bystrynski

Moreover, the wiring should have been copper and placed in a conduit, according to building codes. Instead, it was made of aluminum and buried in the ground without being placed in a conduit.

The family contended that an electrical company named as one of the defendants should have known that the aluminum wiring system, which had been there for 38 years, violated code.

"This was a complicated case to determine exactly what caused this tragedy," Kirby said. "It took a perfect storm of negligence from several defendants combining to cause this young girl's death."

Kirby said that it was determined that the teen was conscious and was aware she was drowning but was unable to move her muscles.



Kirby

The attorneys called the teen "an exceptional student known for her writing ability." Her mother published a book of her writings posthumously, and the family established two writing scholarships in her name.

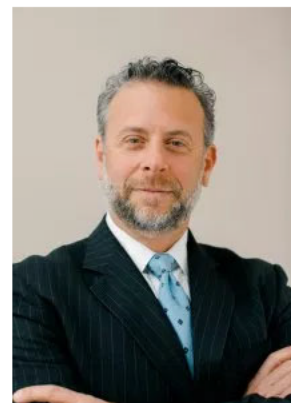
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### SETTLEMENT — WRONGFUL DEATH

**Amount:** \$6 million

**Case name:** Withheld

**Court:** Withheld



Neijna

**Date of Settlement:** June 2018

**Attorneys for Plaintiffs:** David Kirby and Bill Bystrynski of Edwards Kirby in Raleigh and Adam Neijna in Raleigh

**Attorneys for Defendants:** Withheld