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Portfolio Media, Inc. | 111 West 19th Street, 5th floor | New York, NY 10011 | www.law360.com  
Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | customerservice@law360.com

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## UFC Fighter Sues Crane Operator After Deadly Dallas Collapse

By **Mike Curley**

Law360 (June 13, 2019, 4:26 PM EDT) -- UFC fighter Macy Chiasson is suing the owner and operator of a crane that collapsed onto her apartment building during an intense thunderstorm, killing one resident and leaving Chiasson with nothing but her dog, her phone and a pair of shoes.

In a complaint filed in Dallas County Court on Tuesday, Chiasson claimed that Bigge Crane And Rigging — which owned the crane that was working on the Gabriella Tower LLC apartment building across the street from her own apartment at Elan Dallas City Lights — was negligent in its maintenance of the crane and in leaving it in a condition to fall during inclement weather.

Bigge Crane, Gabriella Tower and Elan Dallas City Lights are named as defendants in the suit.

According to the complaint, Chiasson had just returned home after taking a friend to the airport when a storm kicked up and she heard an “unusually loud boom.” The crane attached to the Gabriella building had been swaying “uncontrollably” in the high winds of the storm, according to the complaint, and had not been allowed to spin freely as is usual in the construction industry, a practice known as “weathervaning.”

Chiasson ran from her apartment building with her dog, phone and shoes, only stopping to put her shoes on once she was outside, and found that she’d stepped on glass and cut herself while running to safety, according to the complaint.

The crane collapse killed at least one person, injured others, and displaced all 500 residents of the City Lights building, according to the complaint. Chiasson said in the complaint that she lost everything in the collapse except what she was able to carry out with her. Her attorney, Jason H. Friedman of Friedman & Feiger LLP, said among the things she lost were her memorabilia from her fights and a camera that her grandfather had owned during World War II.

She accused Bigge Crane and Rigging and the buildings’ owners of negligence, saying despite Bigge Crane’s boast of being one of the country’s premiere crane service companies, it has been fined more than \$150,000 for 14 Occupational Safety and Health Administration violations in the last decade.

According to the complaint, Arkansas OSHA in 2013 found Bigge’s crane contributed to another fatal collapse in that state. Chiasson said the buildings’ owners knew or should have known about Bigge Crane’s previous violations and were negligent for hiring an “incompetent” contractor.

The companies failed to warn residents or take appropriate safety measures to ensure the crane would not fail and collapse during the storm, Chiasson claimed, and “proceeded with conscious indifference” to the tenants’ welfare.

In addition to damages for the collapse, Chiasson is asking the court for an injunction preventing the defendants from making any changes to the site of the collapse, such as moving the crane or making repairs, because doing so would undermine the suit.

"If defendants are allowed to do any additional investigation, testing or preservation of evidence, defendants will likely engage in modifications, alterations or repairs that will impair the development and/or prosecution of this lawsuit," Chiasson argued.

"I think this is a situation that could have been avoided, but for the negligence of the crane people," Friedman told Law360 in a phone interview Thursday. "There's cranes up in other buildings in the area, in the same vicinity. This particular type crane, specifically this model, should have been able to withstand storms like this one."

The owners of the Gabriella building "hired this crane company out of California that has a history of negligence and safety failures," he added.

Representatives for the companies could not immediately be reached for comment Thursday.

Chiasson is represented by Lawrence J. Friedman and Jason H. Friedman of Friedman & Feiger LLP.

Counsel information for the defendants was not available Thursday.

The case is Chiasson v. Bigge Crane And Rigging et al., case number DC-19-08435, in the District Court of Dallas County, Texas.

--Editing by Alyssa Miller.