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DAN SCIANO
HIS FIGHT TO MAKE
HOME STOVES SAFER

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DAN SCIANO'S PRODUCT LIABILITY CAMPAIGN

ONE TEXAS FIRM'S EFFORT TO MAKE HOME STOVES SAFER

In a funny way, Texas litigator Daniel J. T. Sciano wants to put himself out of business.

Sciano's personal injury firm, Tinsman & Sciano in San Antonio, has handled hundreds of serious personal injury and wrongful death cases all over the United States, landing large verdicts and settlements in matters such as nursing home abuse, medical malpractice, and defective products. One of his specialties is truck and other major automotive cases, and in 2001 he and two other attorneys landed an \$18 million jury verdict in a tractor-trailer fatality case. He's also handled a number of serious injury cases involving fireworks and other dangerous products.

In all the cases he litigates, Sciano isn't content with a massive verdict or settlement. He wants the defendants to change their behavior or re-engineer the product that caused the accident. Otherwise, it doesn't feel like a true victory, he says.

"It's part of the resolution to make sure I don't get to handle another one of those cases again," says Sciano. "We want to prevent the injury from ever happening again."

In a flammable fabrics case in which two United States Marines were catastrophically burned, Sciano negotiated a deal in which the defendants agreed to never sell the fabric in question again. In that case, one soldier's uniform caught fire and he was engulfed in flames when he fired a blank round of ammunition and another Marine who came to his rescue was also badly burned.

There's one kind of case which Sciano is especially hoping he can send to extinction—those involving stoves that tip over, resulting in serious burns or death. Sciano has handled hundreds of these cases across the nation. Today, he says, "It's almost a mission on my part to get to the point



**"I'D LIKE TO NEVER AGAIN SEE
A KID WALK IN THE DOOR BADLY BURNED."
—DANIEL J. T. SCIANO**

where I never have to represent another family where a child or other family member was killed or injured by a stove."

Beginning in the late 1980s, ovens and ranges began to be manufactured with brackets that acted as anti-tipping devices. The brackets are supposed to be bolted into the wall of the kitchen to prevent the oven from falling or being pulled over. Often the brackets are improperly installed or not used at all. If the oven is tugged hard enough, it can tip over, either landing on a person or spilling hot liquids on them.

Sciano just completed one such case in Vermont, in which a 78-year-old woman was killed. "She was gobbled up by the range," says Sciano. "She's just turned it off, and leaned on the door because she became faint." The stove, with its door open, came crashing on top of her. "She literally was trapped inside for an hour and a half before she died," he says.

As in the other product liability cases he handles, Sciano insists that resolution of the stove-tipping cases include an agreement by installers to make sure they never improperly install an oven again, and an agreement by manufacturers that they will give very clear instructions to consumers and installers on how to avoid danger. In a class-action

suit that he and two other firms resolved last year after more than seven years of litigation, the defendant, a major retailer of home appliances, agreed to

notify consumers who purchased its ovens that the anti-tipping device was an essential safety device. As part of the settlement, it agreed to install the devices at no charge to consumers.

"That's resulted in significant increase in the use of those devices by those notified," says Sciano, who currently is handling a case against a different manufacturer.

While he's been very successful with these cases, Sciano finds them particularly tragic since, in most situations, they are so easily avoidable with proper care by manufacturers, installers, and consumers. "I make every effort to get it out in a public place and talk to people to let them know that this situation is a serious, hidden, latent hazard in a home that can cause serious consequences for children and elderly adults."

"I've seen enough of this by now," Sciano adds. "I'd like to never again see a kid walk in the door badly burned."

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TINSMAN & SCIANO is among the leading law firms in the Southwest handling matters involving wrongful death, catastrophic injury, products liability, oil & gas, will contests, trust & estate litigation, Social Security disability, and more. Established in 1970, the firm accepts cases almost exclusively on a contingency fee basis, so that every victim has the opportunity to be heard, regardless of their level of means. Tinsman & Sciano's successes enable it to prosecute the most lengthy and complex of cases, ensuring that each client has access to the firm's vast legal and financial resources.

DANIEL J.T. SCIANO handles litigation for victims and families involved in catastrophic injury and death claims. Although nationally known for resolving stove tip over cases, Mr. Sciano has obtained positive results for clients injured by all types of products. His successes in products liability were borne of two traits that are universally valued in any area of practice: a passion for his clients and a willingness to go to extremes—whether geographic, economic, or emotional—to see a case through trial to a verdict. His tenacity in making sure that no stone goes unturned is legendary with defense attorneys around the country, as is his lack of hesitation in taking a case to trial.

NATIONAL PRACTICE: Mr. Sciano has a national practice in which he works to make all manner of defective products and services safer for the consumer. He has litigated a wide variety of cases from truck/tractor accidents and oil field disasters to cases involving flammable fabrics and fireworks. Within the past year, he has handled cases in Texas, Vermont, Wisconsin, Illinois, Indiana, California, and Tennessee. Most recently, Mr. Sciano was jointly involved in a national class action suit against a major national retailer regarding freestanding gas and electric ranges that are prone to tipping over if a child or elderly adult leans on an open oven door. After almost a decade-long battle, the defendant was required both to modify its entire sales program such that future customers were made aware of the necessity of properly installing an anti-tip device and to retrofit previously sold ranges with the device.

ASIDE FROM HAVING BEEN SELECTED by his peers for inclusion in *Best Lawyers in America*[®] (consecutively from 2001 to 2009), Mr. Sciano has been named as a *Texas Super Lawyer* by *Texas Monthly* magazine since the periodical began publishing the distinction. He is also a member of the San Antonio Bar Association, the San Antonio Trial Lawyers Association, the American Bar Association, the State Bar of Texas, the State Bar of Wisconsin, the Texas Trial Lawyers Association, and the American Association for Justice.



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