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Investment firm pays \$2 Million to woman for injuries

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A Tucson investment company and rental property owners with properties in Pima and Yuma counties have agreed to pay a woman and her husband \$2 million for negligence.

The woman was injured when she was shocked by a defective electrical wire in the pool area of a Yuma apartment complex, according to court records.

Amy and Michael Cusumano were living at El Encanto Apartments, 2651 S. Eighth Ave. in Yuma, in July 1991 when Amy Cusumano was hurt.

Witnesses saw the 24-year-old mother "convulsing" just after she got out of the pool, according to Tucson attorney Michael Rollins.

Those in the pool area who saw her go through the ordeal said she was shaking violently, Rollins said.

Amy Cusumano sustained back and nerve injuries that eventually worsened, Rollins said. She went through two back surgeries that cost the couple about \$135,000.

For the rest of her life, she will be numb in the lower part of her body, Rollins said.

Of the \$2 million settlement, Michael Cusumano, 25, will get \$50,000.

Paul Ash Investment Co. will pay \$1 million. The second million will come from the apartment complex's liability insurance coverage.

Paul Ash Investment decided to settle the case, instead of going to trial before a jury, because Amy Cusumano would have made "an outstanding witness on her own behalf," said Mike McNamara, a lawyer for the investment company.

"She had suffered a catastrophic injury," McNamara said.

"It was a highly unusual case, a freak accident... a catastrophic injury resulting from an inconsequential incident," he said.

The management company had been adding lights to a gazebo and had run a wire through the pool area.

The coating on the wire was not weatherproof and had worn off after it was stepped on repeatedly, Rollins said.

"When you rent an apartment, the landlord says it's a safe place. It's presumed that you won't have a dangerous condition like this around," Rollins said.

McNamara said he believes the Cusumanos' attorneys would have asked a jury for \$5 million, considering the extent of Amy Cusumano's injury.

"It would have been a highly emotional case to try," McNamara said.

The couple lived in Yuma for about two years while Michael Cusumano was stationed at the Marine Corps Air Station and has moved back to southern California.