

# Sticky Legal Situations

By Reg P. Wydeven  
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Each summer, in addition to cool Darth Vader folders, notebooks and pencils, my mom would also always buy me a new bottle of Elmers glue to use in school. Little did I know she was arming me with such a dangerous weapon.

Aside from numerous products liability and wrongful death lawsuits resulting from kids sniffing glue, the adhesive has caused many other sticky situations leading to lawsuits. For example, Bob Dougherty recently sued Home Depot after he was glued to a toilet seat in one of the chain's Denver stores. Dougherty was recovering from heart bypass surgery at the time and after he realized he was stuck to the seat, he thought he was having a heart attack.

Dougherty panicked and began calling for help. A store employee heard him call for help and informed the head clerk by radio, however, the head clerk thought it was a joke and ignored Dougherty's pleas. After about 15 minutes, an employee called for an ambulance and paramedics had to unbolt the seat from the throne.

While he was being wheeled out of the store by the paramedics, Dougherty fainted. Adding injury to insult, Dougherty suffered severe abrasions when the toilet seat separated from his skin. Because he claims to have suffered from post-traumatic stress syndrome, nightmares and diabetes after the incident, Dougherty sued the home improvement chain for \$3 million for ignoring his cries for help.

The plot thickened, however, when Ron Trzepacz, former director of operations in Dougherty's hometown of Nederland, said Dougherty made similar allegations in 2004 about being glued to a toilet seat in the town's visitor center, but he pulled himself free. Results from a polygraph test Dougherty took indicate that he wasn't lying when he denied Trzepacz's allegations and that he never even met Trzepacz.

The parents of six Everest, Wisconsin, junior high students sued the school district and the parents of five other students after their children ate glue thinking it was mayonnaise. The parents claim the district failed to supervise the five students named in the suit when they placed a bottle of wood glue on a cafeteria condiment table. The kids who ingested the glue received medical attention immediately after the incident and some received treatment for several more weeks.

The six children that ate the glue were all Hmong, and their parents are claiming the prank was racially motivated. Their lawsuit seeks punitive damages for physical and emotional injuries resulting from the practical joke.

Finally, Kenneth Slaby of Pittsburgh sued his ex-girlfriend, Gail O'Toole, after she got even with him for breaking up with her. The jury ordered O'Toole to pay Slaby \$46,200 for pain, suffering and emotional distress he suffered after O'Toole used Super Glue to paste his genitals to his abdomen. In addition, while typically spackle is used to seal cracks, O'Toole also used the Super Glue to adhere his buttocks together.

Slaby claims O'Toole invited him to her home and waited until he fell asleep before she stuck him with her plan. O'Toole was arrested also for misdemeanor assault and served six months probation.

O'Toole states the act was consensual and that he wasn't permanently damaged. One thing is for sure - if Court TV airs the appeal, viewers will definitely be glued to their TV screens.

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