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## Wrongful death suit filed over electrocution

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The survivors of a young father who was electrocuted while doing tree work in Woodacre last year filed a wrongful death lawsuit against the contractor he worked for and the owners of the home at which he was working.

The lawsuit was filed in Marin Superior Court by Maria Esmeralda Alvarado on behalf of the victim, Carlos Rivera Olvera. Alvarado is the mother of Carlos Amparo Rivera Alvarado, Olvera's son.

In addition, the plaintiffs include Amparo Rivera Mata and Constanca Olvera Mata, the parents of Olvera, who live in Mexico and were financially dependent on him.

The lawsuit names Efrain Chavarria, E.J. Kalmanson Lange, Romney Lange, Pacific Gas and Electric Co., the state Public Utilities Commission and the county of Marin as defendants.

Rivera, 25, was hired by Chavarria, a Novato landscape contractor, to trim several trees on the Lange's property at 16 Sylvan Way on Sept. 18, 2007. Rivera was hired as a day laborer and had worked for Chavarria for about three years.

The lawsuit claims that Chavarria and the Langes, the property owners, knew that Rivera was not licensed and that he would be working in an area where there was live electrical wiring obscured by foliage. It says that the defendants failed to provide adequate safeguards or safety equipment before instructing him to climb about 50 feet up the redwood with a gas-powered chain saw and a pair

of metal tree-climbing braces with large metal spikes on each foot.

According to the lawsuit, Rivera touched a 12,000-volt line and was electrocuted.

It claims that Chavarria and the Langes should have had the transmission lines shut down while the work was being done. Rivera had trimmed two other trees before climbing the one on which he died.

The lawsuit says that PG&E had not sufficiently insulated the lines or equipment, or maintained the trees.

Jana Morris, a spokeswoman for PG&E said the utility's attorneys have not reviewed the lawsuit.

Efrain's Landscape Construction, Chavarria's business, is licensed by the state, but Efrain claims to be a solo operator with no employees, which exempts him from paying worker's compensation.

The lawsuit complains that the defendants acted negligently and with malice and fraud and were "deliberately indifferent to, and in conscious disregard of the rights of plaintiffs' decedent."

It asks for unspecified damages. A hearing is set for Oct. 2.

Chavarria, the Langes, and the Marin County Counsel's Office did not return phone calls seeking comment.

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