

Deal reached in pier collapse

\$29.6 million is to be divided among the families of three women killed and the 40 people who were injured.

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The families of three women killed and 40 people injured in the May 2000 collapse of Pier 34 South on the Delaware River have reached a \$29.6 million settlement with the pier owner, a nightclub operator, and other defendants named in dozens of civil lawsuits.

The settlement, finalized over the last week, was carved out in negotiations that lasted more than a year before Common Pleas Court Judge William J. Manfredi.

"This is a done deal at this point," Manfredi said yesterday. "I tried to make sure there was a fair result for everyone. It's a resolution. It's closure. It's peace - hopefully for everybody."
[Thomas R. Kline](#) and Robert J. Mongeluzzi, who acted as lead lawyers for the plaintiffs, said the settlement was expected to resolve all injury claims stemming from the tragedy on May 18, 2000, when the end of Pier 34 gave way, dumping patrons at the crowded nightclub Heat into the Delaware.

Three women - DeAnn White, 25, of Philadelphia, and Monica Rodriguez, 21, and Jean Marie Ferraro, 27, both of Cherry Hill - suffered head injuries and drowned.

Kline said the \$29.6 million settlement is to be divided into four parts. The families of the three women killed are each to be paid one-fourth of the settlement, or \$7.4 million. The remaining \$7.4 million is to be distributed through an arbitration process to the 40 people who were injured.

The lawsuits said that the pier had been in a dangerous and unstable condition for years and that an inspector had warned of imminent collapse - but was ignored - on the morning of the disaster.

Mongeluzzi said shoddy repairs done in the mid-1990s "guaranteed the pier was going to collapse - it was just a question of when."

The pier owner, Michael Asbell, and the club operator, Eli Karetny, are facing criminal charges in connection with the collapse.

Asbell and Karetny have denied either knowing the pier was in imminent danger or being warned of the collapse.

Kline and Mongeluzzi said the main defendants in the lawsuits were Portside Investors, Asbell's firm, which owned the pier, and HMS Ventures Inc., which operated the club.

HMS Ventures is owned by Campbell Soup Co. heiress Dorrance H. "Dodo" Hamilton. Karetny is its president.

John F. Ledwith, the lawyer for Karetny, Hamilton and HMS Ventures, confirmed that a settlement was being finalized. He credited Manfredi with resolving the maze of litigation that grew out of the collapse.

More than 40 lawsuits named roughly a dozen defendants, including architects, engineers and contractors.

"It was a complex problem - a very complex problem," Ledwith said. "This was a good end to the litigation. The families get some money, and they get resolution. The defendants get resolution. Everyone gets on with their lives."

White, Rodriguez and Ferraro all worked at the New Jersey State Aquarium in Camden. They had gone to Heat to celebrate White's forthcoming birthday.

Beneath the club, a gaping crack across the width of the pier had developed.

At a preliminary hearing two years ago in the criminal case against Asbell and Karetny, Jesse Tyson, who worked for an engineering firm hired to do repairs on the pier, testified that he told both men hours before the collapse:

"Your pier will probably collapse tonight between 8 and 9 o'clock... . If it doesn't happen on tonight's tide, it sure as hell will happen tomorrow morning."

That testimony - fiercely denied by Frank DeSimone, defense lawyer for Karetny - is widely viewed as the most dramatic evidence of negligence and criminality.

The criminal trial has been delayed while the District Attorney's Office appeals a 2002 ruling by Common Pleas Court Judge Benjamin Lerner that barred prosecution of Asbell and Karetny on the felony charge of risking a catastrophe.

The state Superior Court upheld Lerner's decision in October, but prosecutors pressed a further appeal.

Asbell and Karetny now face misdemeanor charges including involuntary manslaughter, conspiracy and reckless endangerment.