

Lawsuit filed over flooding deaths

The Reporter

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Six people injured and the families of four people killed in the June 16, 2001, flooding and explosion at Village Green Apartments in Upper Moreland have filed a lawsuit against the apartment's owners and other businesses accusing them of not doing enough to prevent the deaths and injuries.

"The deaths of Rudolph Malizia, Angelina Malizia, Louise Mae Williams and Roger Allen Williams and the injuries to Nicholas Baldini, Michelle Seeger, Thomas Mulvihill, John Denny, Gordon Weir and Anne Weir, were caused solely and wholly by reason of the negligence and carelessness of the defendants..." reads a portion of the lawsuit which was filed March 6 in Philadelphia County Court.

Another portion of the suit says, "Before June 16, 2001, all defendants knew or should have known that the premises of the Village Green Apartments themselves were particularly prone to severe flooding."

Despite knowing the likelihood of flooding, said [Tom Kline](#), the attorney for the group filing the lawsuit, Village Green's owners and management company, the Scully Co., did not have plans to protect tenants in case of flooding.

"Flooding was predictable," Kline said. "The accident was foreseeable and should have been avoided."

Six residents of Village Green's A building were killed after flooding in the aftermath of Tropical Storm Allison broke a gas line in the laundry room and there was an explosion. Two of those killed, Ruth Widmer and John Manlove, are not included in the lawsuit. It took more than eight hours to put out the fire following the explosion at the complex on Warminster Road. The National Weather Service reported Willow Grove received more than 10 inches of rain during the flooding.

In addition to Scully Co., Village Green Associates LP, and Village Green Apartments, Inc., the lawsuit also names PECO Energy, CSX Corp. and Caleco as defendants. PECO was responsible for the gas lines to the complex, the suit says. A culvert owned by CSX forced water to back up in Pennypack and Mill creeks and contributed to the flooding, according to the lawsuit. Caleco was responsible for the laundry equipment at the complex, according to the suit.

The lawsuit was filed in Philadelphia County, instead of Montgomery County where the damage occurred, because all the companies named except Caleco have offices in Philadelphia, Kline said.

A Scully representative did not return calls seeking a response to the lawsuit.

Kline said the filing of the lawsuit is just the first step in what will be a lengthy process before the case arrives in court. No trial date has yet been set, but Kline said he expects the trial to be in the "next few years, not the next few months."