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Woman Who Lost Legs in Building Collapse Files Lawsuit

A shopper who lost her legs after a building collapsed onto a Salvation Army thrift store and buried her in debris for nearly 13 hours has sued the charity, a jailed contractor and others.

Mariya Plekan, 52, remains hospitalized following the June 5 collapse in Philadelphia that killed six and injured 13. She has also endured heart and kidney problems, infections and other setbacks but remains mentally sound, her lawyer said.

"She has a very good memory of what happened that day and what it was like being buried," lawyer **Andrew Stern** said. "It's a blessing and a curse because it haunts her."

The lawsuits resulting from the collapse are on hold indefinitely amid a criminal grand jury investigation that could take more than a year. The only person charged to date is a demolition subcontractor who was allegedly impaired by painkillers and marijuana while operating heavy equipment. Sean Benschop, 42, is being held on six counts of involuntary manslaughter.

In a motion filed along with the lawsuit this week, Stern asked a judge to have his client's testimony preserved before trial, given the gravity of her injuries and the expected delay.

City council members have also been investigating the collapse through public hearings that have focused in part on city permitting procedures. A city building inspector who visited the demolition site after a complaint committed suicide after the collapse.

Building owner Richard Basciano, known as the pornography king of New York's Times Square, owned several attached storefronts being torn down for redevelopment. The Salvation Army refused to sell its corner property to him, and then stalled when Benschop sought permission to put a bucket truck over the store to remove a four-story brick wall by hand, according to Plekan's lawsuit.

Basciano's company warned Salvation Army lawyers that the delay "posed a threat to life, limb and public safety," according to the lawsuit.

Store employees, meanwhile, were complaining that the walls sometimes shook and bathroom tiles broke amid the demolition.

Basciano hired demolition contractor Griffin Campbell for the job, even though his \$112,000 bid was far below the others, which should have raised safety concerns, Plekan's lawsuit charged. Campbell then hired Benschop as a subcontractor.

Campbell's lawyer, Kenneth Edelin, has said that Benschop was supposed to be using the excavator that day to remove debris, not to knock down the wall, as some victims' lawyers have alleged.

The Salvation Army said negotiations over how to safely demolish the wall were still ongoing, and that Campbell had pledged not to begin the job until they were resolved. But workers nonetheless moved an excavator onto the site days before the collapse and started structural demolition, their lawyer said.

"This tragedy was thrust upon" us because of broken promises and unacceptable demolition methods, the Salvation Army said in a statement Tuesday.

Lawyers for Benschop and Griffin did not immediately return calls for comment.

Plekan, a widow, had come to the United States from Ukraine about a decade ago to care for a sick relative. Her two adult children have since come to the U.S. to be by her bedside at the Hospital of the University of Pennsylvania.

"She really wants to live," Stern said Tuesday. "She's fighting every day for her life."