

Western Pennsylvania electric utility agrees to \$105 million settlement in woman's death

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In a case fraught with emotional testimony, the family of a Western Pennsylvania woman electrocuted by a downed power line on her property has settled its lawsuit with the utility for \$105 million.

The settlement by survivors of Carrie Goretzka, a 39-year-old mother of two who died three days after the June 2, 2009, accident with burns over 85 percent of her body, is the largest in state history.

Shanin Specter, the Center City lawyer who represented the family, said West Penn Power initiated settlement talks in January. A Court of Common Pleas jury in Pittsburgh had awarded the family \$109 million in December after a three week trial, and the company appealed.

The settlement, for early the amount of the jury verdict, is subject to approval of the trial judge. "West Penn's decision to drop its appeal and pay \$105 million is a ringing endorsement of the jury's verdict holding West Penn re-

sponsible for Carrie Goretzka's death," Specter said.

West Penn confirmed it had agreed to the settlement but declined to comment further.

When the power went out in her home in Irwin, Pa. - 30 miles east of Pittsburgh - late in the afternoon that day, Goretzka went outside and used her cell-phone to report the outage.

Specter argued at trial that the line collapsed on top of her, although there were no witnesses. Goretzka's daughters, 4 and 2 at the time, and her mother-in-law found her on the lawn engulfed in smoke and flames.

Specter said the power company, in addition to the financial settlement, had agreed to inspect some 26,000 miles of power lines in its service area, and to retrain its workers. Specter introduced evidence at trial showing that the company had failed to employ proper splicing techniques on the line that failed, and that it disregarded its own internal procedures.

The utility argued there was nothing wrong with its proce-

dures, and suggested that because a section of the line already was visibly on fire, Goretzka should never have gone out of the house.

The trial featured wrenching testimony from members of the victim's family, including her mother-in-law, JoAnn Goretzka, who described futile efforts to rescue the woman. She testified that when she spotted her daughter-in-law with the downed wire on top of her, she tried to run into the yard to help but was thrown to her feet by a powerful electric current coursing through the lawn. It took utility crews some 20 minutes to turn off the power, and 25 more minutes elapsed before emergency medical personnel were able to sedate Goretzka and put her in an ambulance. One day before the case went to the jury, the plaintiff's team and the utility reached a tentative agreement to settle the case for \$50 million and a commitment from the utility to fix improperly installed splices throughout its system, according to Specter. But the company backed out of that deal.