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\$95.6 million to woman who lost legs in building collapse

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A Philadelphia arbitrator has awarded \$95.6 million to Mariya Plekan, the Ukrainian immigrant who was the most seriously injured among the survivors of the deadly 2013 Center City building collapse.

Plekan's attorney, Andrew J. Stern, said arbitrator Jerry P. Roscoe announced his division of the \$227 million settlement late Thursday afternoon.

Plekan was expected to receive the largest individual portion of the settlement, announced Feb. 8 after a 17-week civil trial of lawsuits filed after the June 5 wall collapse that crushed the Salvation Army thrift store at 22nd and Market Streets.

Six people were killed immediately and 13 were injured, one of whom died 23 days later.

Plekan, then 52, a regular customer at the thrift store, was buried under the rubble for 13 hours. Her injuries were so severe that she underwent what

doctors call a "guillotine amputation," the surgical removal of the lower half of her body at the hips.

At trial this year in Philadelphia Common Pleas Court, Stern said Plekan had undergone 30 surgeries, survived kidney failure and lung problems, and lost her ability to speak because of throat damage from months on a respirator.

At that time, Stern estimated Plekan's future medical expenses at \$50 million and said she would require round-the-clock medical care.

"She's thrilled about this," said Stern. "It's going to help her get out of her current location and into a place where everybody ... can be."

Since she left the hospital, Plekan, a widow, has lived in a West Philadelphia nursing home, where she has been visited regularly by her two children, who fly in from Ukraine, and a friend who acts as her translator.

Stern said the confidentiality rules in the arbitration process did not permit him to disclose the amounts of the awards given to the other survivors and families of those who died.

The arbitrator, Roscoe, 63, is a veteran lawyer who works as a neutral arbitrator for JAMS, an international alternative dispute resolution firm. The company does not comment on its cases.

Roscoe was selected by the plaintiffs' lawyers to allocate the \$227 million settlement, and all plaintiffs agreed to abide by his decision.

It's not clear if the complete allocation of the settlement will be made public. Stern said some plaintiffs may request that their awards not be disclosed.

Robert J. Mongeluzzi, who represented nine plaintiffs including former City Treasurer Nancy Winkler and her husband, Jay Bryan, whose 24-year-old daughter, Anne Bryan, died in the collapse, said he could not disclose his clients' awards until after he speaks to them.

Mongeluzzi said each of his clients received more than \$1 million and all nine awards totaled more than \$60 million.

Steven G. Wigrizer, who was co-lead counsel with Stern and Mongeluzzi, could not be reached for comment.

In addition to the awards to the plaintiffs, the plaintiffs' lawyers must decide how to divide the millions in legal costs for the trial — the second-longest civil trial in Pennsylvania history — which required scores of lawyers and support personnel, expert witnesses, and installation of a high-tech computer-projection system inside City Hall's cavernous Courtroom 653.

The \$227 million settlement is the largest personal-injury settlement in Pennsylvania history.

The Common Pleas Court jury found three people or entities financially liable for the collapse: the Salvation Army, the late New York real estate speculator Richard Basciano and his STB Investments Corp., and Center City architect Plato A. Marinakos Jr.

The jury determined that the Salvation Army ignored warnings of an imminent danger of collapse at Basciano's demolition site next to the thrift store. The jury found that Basciano hired an unskilled and unlicensed contractor for the job who was recommended by Marinakos, who monitored demolition.

By the time of the settlement, however, Marinakos apparently had exhausted his professional liability insurance and the settlement was divided: \$200 million from the Salvation Army and \$27 million from Basciano and STB