

# The Legal Intelligencer

THE OLDEST LAW JOURNAL IN THE UNITED STATES 1843-2011

PHILADELPHIA, FRIDAY, MAY 26, 2017

An **ALM** Publication

## Plaintiff in Salvation Army Case Awarded Record \$95.6M in Arbitration

**Zack Needles,**  
*Of the Legal staff*

More than three months after the Salvation Army building collapse civil case settled for a record \$227 million, an arbitrator has allocated \$95.6 million of that amount to plaintiff Mariya Plekan, a Ukrainian immigrant who had been shopping when the building collapsed.

**According to a press release by Plekan's attorney, Andrew Stern of Kline & Specter, the award is the largest recovery for an injured individual in Pennsylvania history.**

**"While this tragedy took its toll on so many innocent victims, we are very pleased that the arbitrator recognized in his assessment that Mariya Plekan, the most catastrophically injured victim, should receive the highest award following this liability jury verdict," Stern was quoted as saying in the release.**

During the damages portion of the trial Feb. 3, Stern had focused his opening statements on Plekan, showing several pictures as he described her injuries, including amputations of her leg past her hip joints, and the 24-hour care he said she requires. He listed the eight

experts he plans to call about Plekan's alleged

damages, and estimated her future medical care at about \$50 million.

The liability verdict on Jan. 31, which came after a five-month trial in the Philadelphia Court of Common Pleas, determined the Salvation Army was 75 percent liable for the incident in which a building that was being demolished collapsed onto a Salvation Army facility while shoppers and employees were in the building.

The jury further assessed 13 percent liability against STB Investments Corp., the company that owned the building that was being demolished, and 5 percent each against Richard Basciano, the principal owner of that company, and Plato Marinakos, the architect overseeing the demolition project. The jury also found the demolition contractor, Griffin Campbell, and the excavator, Sean Benschop, each 1 percent liable.

A spokesman for the Salvation Army said in an emailed statement, "The victims and their families remain in our thoughts and prayers. The Salvation Army continues to serve those in need, with com-

passion, as we have for more than 137 years in Philadelphia."

The amounts awarded in arbitration to the remaining plaintiffs could not be confirmed as of press time.

Peter A. Greiner of Sprague & Sprague, who represented Basciano and STB, could not be reached for comment.

Both Neil Clain Jr. of Powell, Trachtman, Logan, Carrle & Lombardo, who represented Marinakos, and Bryan P. Werley of Zarwin Baum DeVito Kaplan Schaer Toddy, who represented Campbell, also could not be reached.