

'I'm not angry,' says Mariya Plekan, 5 years after losing legs in Salvation Army building collapse

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Epiphanies come in many forms.

For Mariya Plekan, 57, it came in the form of a 3-year-old boy attending her granddaughter's birthday party earlier this year. The boy was curious about — and a little frightened of — the lady in a wheelchair who had no legs and the stub of a breathing tube protruding from her neck.

"Does it hurt?" he asked.

Plekan smiled at the boy, she recalled last month. She put a special amplifier to the side of her neck, and an electronic voice replied: "No, it doesn't hurt."

The boy was satisfied and went back to the party, but a bond had formed. Throughout the afternoon he returned to Plekan's side and stayed with her.

"He couldn't stay away," said Plekan.

How do you find your future after you were buried alive for 13 hours and

resigned yourself to death? How do you go forward, after being rescued but so horribly injured that surgeons had to amputate both legs at the hip to save your life — after surgery upon surgery, and repeated hospitalizations for near-fatal infections, and then returning to a nursing home for months until the next infection?

Sometimes you find life just by living it, learning to again enjoy the companionship of family and friends, the joy of a trip outside in warm weather, visiting a local supermarket or mall.

"I don't want to give up," Plekan said in her first interview since a February 2017 settlement of lawsuits filed on behalf of the seven who died and the 12 injured in the demolition collapse that crushed a Salvation Army thrift store in Center City.

Her wish for the future is simple: "I just want to not end up in the hospital again. I love kids near me, people's warmth."

Tuesday will mark five years since the building collapse, one of the worst disasters in Philadelphia's history.

Officially, the anniversary will be marked by the dedication of a memorial park, a project led by former City Treasurer Nancy Winkler and her husband, Jay Bryan, whose daughter Anne Bryan, a 24-year-old aspiring artist, died in the collapse. A ceremony will take place from 11 a.m. to noon at the former site of the thrift store at 22nd and Market Streets.

Glaziers Derek Collins, left, and Joe McSwiggan install colored glass on the memorial to the fatal Salvation Army building collapse at 22nd and Market Streets on Friday, June 1, 2018. It will be dedicated in a ceremony Tuesday, June 5, the fifth anniversary of the disaster.

The collapse also has resulted in several important changes in demolition rules at the city's Department of Licenses and Inspections — changes that some involved in the collapse litigation say might have prevented the tragedy.

Notably, the new rules require that contractors asked to demolish large buildings must have experience and must show proof of insurance and a

bond before they get permits to begin demolishing a building.

L&I spokeswoman Karen Guss said demolitions must now undergo a series of mandated safety inspections. Since the collapse, L&I has increased its staff of inspectors by 58 percent and become the first U.S. city to adopt the 2018 state-of-the-art International Building Code. She said the city has enacted 52 bills and adopted 18 new procedures changing the way L&I does business.

The contractors also must file an engineering-sound demolition safety plan with the city before taking down a building. The demolition contractor responsible for the collapse had no experience on large commercial structures, and was unlicensed and uninsured.

Although they were sought by Winkler and Bryan, the changes are cold comfort for the loss of a beloved daughter. So too for the 12 survivors — especially Plekan, the most grievously injured and permanently disabled among them.

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In addition to Anne Bryan, the building collapse claimed six other lives: Roseline Conteh, 52, a nurse and immigrant from Sierra Leone; Bobor Davis, 68, a Salvation Army employee; Kimberly Finnegan, 35, a cashier working her first shift at the thrift store; Juanita Harmon, 75, a retired secretary at the University of Pennsylvania; Mary Simpson, 24, an audio engineer who had been shopping with Bryan; and Danny C. Johnson, 59, a truck driver and father of five who lived for 23 days after he was pulled out of the rubble,

On June 12, 2013, L&I inspector Ronald Wagenhoffer, 52, who had been responsible for inspecting the demolition site, was found dead in his truck with a gunshot to the chest. His death was ruled a suicide.

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June 5 is the date when Mariya Plekan exchanged her identity — Ukrainian immigrant, widow, mother of two, grandmother — for the title of “Miracle on Market Street,” the last survivor pulled from the thrift-store rubble.

Plekan was pinned so tightly by broken beams and masonry that she could do little more than to gasp for air through a small hole and cry out for help. No one heard her. Her cellphone rang repeatedly as desperate relatives and friends tried to contact her. She could not move her arms enough to answer it.

Her agony began at 10:42 a.m., when demolition workers tearing down an abandoned building next door triggered the collapse, and three to four stories of an unsupported brick wall toppled and flattened the thrift store. Six people died instantly.

A photograph from state’s evidence after Capt. John O’Neill of the Philadelphia Fire Department found Mariya Plekan in the rubble 13 hours after the building collapse is shown at a news conference after the \$227 million settlement on Feb. 8, 2017.

At 11:45 p.m., long after 11 other survivors were rescued and the noisy, heavy machinery had been shut down, Philadelphia Fire Capt. John O’Neill, a search and rescue specialist, stood on the rubble above Plekan. The pile moved, and Plekan made one more attempt, calling out a weak “help.” A

rescue dog barked, and O’Neill called for firefighters and began the job of exhuming Plekan from her tomb.

She was alive, but barely. The collapse had folded her into a squatting position. Blood had stopped circulating in her legs, raising the risk of sepsis as soon as she was freed.

Doctors at the Hospital of the University of Pennsylvania performed what was called a “guillotine amputation,” surgically removing the lower half of her body including her hip joints.

Plekan’s life was saved, but it was just the start. More than 30 surgeries would follow, as would hospitalizations for kidney failure and lung problems. Months spent on a respirator ended her ability to speak without electronic amplification.

For the next four years, Plekan’s life consisted of shuttling between the hospital and her new home at St. Ignatius Nursing & Rehab Center, at 4401 Haverford Ave. in West Philadelphia.

Her only excursions into the outside world were to testify in legal proceedings: the criminal trial of two demolition workers convicted for their roles in the collapse, and the civil trial of consolidated lawsuits against the Salvation Army, the owner of the building being demolished, his demolition architect, and others.

The civil trial lasted 17 weeks, from fall 2016 until Jan. 31, 2017, when the Philadelphia Common Pleas Court jury of 12 found all five individual and corporate defendants liable for the deaths and injuries caused by the collapse.

Mariya Plekan at home with her lawyer, Andrew J. Stern

Plekan's lawyer, Andrew J. Stern, of the Center City firm of Kline & Specter P.C., was the lead lawyer in the case against the Salvation Army. His argument convinced the jury, which found that the charity bore 75 percent of the liability to the victims, including Plekan, who had been a regular shopper at the store.

The jury began hearing evidence to decide on the amount of money to award each of the plaintiffs, but on Feb. 8, 2017, the parties settled for a total of \$227 million.

After the trial, the plaintiffs' lawyers asked Jerry P. Roscoe, a Center City lawyer and arbitrator, to decide how to allocate the \$227 million. In May 2017, Roscoe announced his decision, which included \$95.6 million for Plekan.

At trial, Stern told the jury that Plekan's medical care since the collapse had already run into the millions of dollars and estimated her future medical costs would be about \$50 million.

She requires round-the-clock medical care. Even the most mundane task could turn into a life-threatening situation. Without hips or even partial leg muscles, it was difficult for Plekan to maintain her balance in a sitting position. Once, in the nursing home, she testified at the civil trial, she was brushing her teeth when she lost her balance and fell to the floor. She again found herself crying out for help and waiting for it to arrive.

After the verdict, Stern said, some involved in the litigation questioned whether his estimate of the cost of her future care was realistic. They argued

that now, "she was going to be fine," Stern said.

"The reality is that she's tough as nails, but she's been going back into the hospital frequently," Stern said, adding that Plekan is "in a very precarious position because she needs ongoing care and money to take care of her. I'm glad the arbitrator ultimately evaluated the case the way that he did and gave her what she deserved."

The first thing the money did for Plekan was to enable her to leave the St. Ignatius nursing home, which, despite its specialized services, could not meet all the demands her care required.

Before the collapse, Plekan had lived in a two-story brick rowhouse on North Franklin Street in Hunting Park, the house to which she had come from Ukraine in 2002 to care for her late husband's aged aunt and her aunt's husband. Although Plekan continued to live there after her in-laws died, the house was not suitable, or easily adaptable, for someone with Plekan's new physical disabilities.

Last December, Plekan bought a house in Huntingdon Valley that has large rooms, wide halls, and a bedroom for her off the living room. It also has room for her round-the-clock nurse and space for her daughter, Natalia; her son-in-law, Ihor Holovchak; and the couple's two children, Victoria, now 6, and Yuri, now 5 weeks old.

Plekan, however, had barely been settled in the house when she was rushed back to HUP to treat kidney stones

and an infection, which her injuries had made chronic.

She remained in the hospital for three months, at one point becoming so ill that she "appeared to be lapsing into a coma," Stern said.

Now, in an interview in the dining room of her new home, Plekan seems finally to be adjusting to life outside a hospital room.

"I'm very happy because I'm not in the nursing home anymore," Plekan said. "It feels like home. I can finally relax."

Although Plekan speaks and understands some English, she usually converses in Ukrainian, and the interview was translated by her daughter-in-law, Ulyana Zatorska.

"She loves to chat," said Zatorska — and in Ukrainian, Plekan's personality is freely expressed in words, laughs, and tears.

The 2013 disaster has had the unintended effect of reuniting Plekan and her family.

Plekan was born in Lviv, in western Ukraine, later moving about 60 miles southwest to Ivano-Frankivsk, where she worked as a cook for more than a decade and also acquired some nursing skills.

In 2002, after her husband, Roman, a factory woodworker, died, and with her two children now adults, Plekan emigrated to Philadelphia to care for Roman's aunt and her husband.

After June 5, 2013, Plekan's children began visiting on staggered six-month visas to ensure that family was there to help care for her. Now, Plekan said, both children have "open cases" ap-

plying for permission to permanently remain in the United States.

“I need my kids because of my condition,” Plekan said.

Plekan’s despair was deep in the first years after the accident.

“This is my hell,” she told the Philadelphia jury in the criminal trial of the two demolition contractors.

“How am I supposed to live now?” she said she intended to ask those responsible for the collapse, in her first meeting with reporters on the first anniversary of her rescue.

The answer to Plekan’s rhetorical question has come slowly.

Normality, as Plekan now defines it, has come with doing everyday things.

She said she loves to explore her new neighborhood. The people are friendly and say hello. Her daughter-in-law said a Portuguese family living behind them provides a link to Plekan’s own immigrant experience.

Plekan said she attends Mass at the Ukrainian Catholic Cathedral of the Immaculate Conception, at 830 N. Franklin St., because it is not crowded and she can maneuver her wheelchair. And a short distance away from her home is the Ukrainian Educational and Cultural Center, where Plekan can talk with other Ukrainian immigrants.

She said she also enjoys visiting the local supermarket and trips to Willow Grove Park Mall — and is recognized.

“I was in the grocery store and a man came up to my daughter and asked if I was the woman in the Market Street

accident,” Plekan said. “He said how sorry he was that it happened to me.”

Capt. John O’Neill of the Philadelphia Fire Department, who found Mariya Plekan in the rubble 13 hours after the collapse, greets her at a news conference after settlement with the Salvation Army on Feb. 8, 2017.

She said she also smiles at parents trying to get their young children to “stop looking.”

“I always smile so the kids don’t get scared because of my voice,” Plekan said.

June 5, 2013, is still close enough that talking about it releases tears that roll down her cheeks.

“I’m very fortunate to be alive, to be with my kids,” Plekan said. “I’m not angry. I just hope that something that bad never happens again. I feel very bad for people who have lost their family members.”

Plekan said she cannot thank enough all those — first responders, doctors and nurses, friends, relatives — who have helped her get this far.

Among them is lawyer Stern, who remains close to Plekan and her family. Shortly after Plekan got settled in her new home after her last hospitalization, Stern and associate lawyer Elizabeth Crawford visited.

As he and Crawford got up to leave, Stern said, Plekan demanded to know: “Where are you going? Dinner!”

The onetime Ukrainian cook had made them holopchi — cabbage rolls stuffed with ground meat and rice, cooked in tomato sauce.

“It was delicious,” Stern said.

“And for dessert, Ukrainian cheese-cake — from scratch!” Plekan said. “Next time, pierogies.”