

# *Susan M. Holden - Press*

## **179 claims filed for bridge collapse victim fund**

by MARIA ELENA BACA, October 20, 2008

**Minnesota bridges rated:** An interactive map of bridges that are "structurally deficient," "functionally obsolete" or have gusset plates like those on the I-35W bridge.

Stories of loss and trauma were arriving by the boxload at attorney Susan Holden's Minneapolis office all day Wednesday, the deadline for people to apply for damages from a \$36.64 million fund allocated by the Legislature last year for victims of the Interstate 35W bridge collapse.

Holden is the chairwoman of a panel of seasoned personal-injury attorneys appointed last spring to distribute damages for claims ranging from property loss to personal injury to death.

By the 5 p.m. nonnegotiable deadline, 179 packets had come in. More than 100 of those came in during the final 24 hours. Holden said her office was cross-checking the state's lists Wednesday and calling survivors to make sure they knew about the deadline, which was widely publicized.

Between now and the end of January, Holden and her cohorts, Steven Kirsch and Michael Tewksbury, will meet with survivors individually or as a panel.

"The next few months will be very intense," Holden said. "It's going to be an enormous amount of work, and we are going to hear some gut-wrenching stories, no question about that. It will be time-consuming and emotionally draining, but we all are equipped and ready to do that."

The panel has a self-imposed deadline to complete the hearings by Jan. 31. After that, it will convene to determine how much each survivor may be allocated for losses and damages, tangible (a car, for example) and intangible (emotional distress, post-traumatic stress). Compensation offers must be made by Feb. 28, 2009, and must be accepted or rejected within 45 days.

The Legislature created two funds. The first \$24 million can be tapped by any survivor for as much as \$400,000 per claim. The second \$12.64 million is for survivors whose damages exceed \$400,000, and it must be used to cover uncompensated medical bills, loss of wages or loss of future earning capacity.

Individual allotments will subtract previously received benefits, such as insurance payments or workers' compensation, and will follow guidelines set forth by Minnesota statute.

All of the survivors filing for death benefits have legal representation, Holden said. So do the families of the children on the Waite Park bus who were stranded on the bridge. Others with relatively small claims were representing themselves.

The challenge, Holden said, will be to remain objective in the face of people's stories of tragedy and loss, and make the most of the resources available to the panel.

"I don't know whether or not there are enough funds to fully compensate every survivor who submits a claim in this case," she said. "If there's not enough money, we will have to make some fair division of the proceeds."