



What Is Life Worth?

By Andy Steiner

At first mention, \$36.6 million sounds like a lot of money. But try dividing that sum among the 179 eligible victims of the 35W bridge collapse and the amount quickly starts to look much smaller. What price can be put on the loss of a loved one? What about minor scrapes and bruises? How much is two months in the hospital worth?

That was the daunting task that faced attorney Susan M. Holden, chair of the Special Master Panel appointed by the state legislature to administer compensation for survivors of the collapse.

Holden, a partner with Sieben, Grose, Von Holtum & Carey, put herself forward for the position because it felt like a natural outgrowth of her career in personal injury law.

“Chairing the panel was a unique opportunity for me to apply what has been my practice background for more than 20 years,” Holden says. “This was a situation where I could help people and serve the state of Minnesota.”

During her nine months of service on the Master Panel, Holden more than doubled her work hours, maintaining a nearly full caseload at her firm on top of her duties as chair.

“It was a full-time job,” she says. “We [panel members] were appointed on May 29 and we started working on designing the process right away. Our goal was to have the claims procedure ready before the anniversary of the bridge collapse on August 1. We met that goal. We launched a few days ahead of that anniversary.”

While reviewing each of the cases, Holden and her panel colleagues—attorneys Steven J. Kirsch and Michael D. Tewksbury—quickly realized that the funds they were able to distribute would not cover the true damages suffered by survivors and their families.

“Frankly, we knew by the time we got about 80 percent through the hearings that we would not have enough money to compensate everyone completely,” Holden recalls. “We knew that there

was a great potential for people to feel slighted and not accept the offer.”

From the outset, Panel members agreed to communicate openly and fairly with collapse survivors, taking time to respectfully hear their stories of what happened during the Aug. 1, 2007, disaster. “We set up an opportunity for survivors to meet in any way they wanted,” Holden explains. “People got an opportunity to make some decisions about how their process would go. When they met with the panel, they had the opportunity to tell us everything they thought was important for us to know. We did our best to treat everyone as fairly as we could.”

While the bridge collapse itself will forever remain a black mark on the state’s history, Holden is pleased with the way the tragedy was handled by those who responded. “Everybody—from the legislature’s response to the governor’s response to law enforcement and emergency medical personnel—rose to the occasion,” she says.

Holden was also awed by the response from collapse survivors and their families, an “amazing cross-section” of Minnesota residents who understood the process and accepted its limitations. No one, she believes, was out to profit

from the experience.

“We were very impressed by the quality of people we met,” she says. “Every family, every survivor was hardworking, strong. These are the kinds of people I like to represent.”

And in the end, Holden and her colleagues accomplished something truly remarkable.

“Our process did not require survivors to waive their right to sue until they knew what our offer was,” she says. “Everyone accepted. All 179 clients. The way they accepted our offer was to sign a release against the state of Minnesota, and everyone signed the release. I’m really, really pleased with that.”

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