

## ***SPECIAL EDITION***

### THE I-35W "REMEMBRANCE GARDEN" MEMORIAL – REMEMBERING THOSE WHO WERE ON THE BRIDGE

The August 1, 2007 I-35W bridge collapse was the Greatest Man-Made Catastrophe in State History. Thirteen died and more than 150 were injured. Honoring and remembering those lost and injured is important to those who were on the bridge, their loved ones, and our state as a whole. For this reason, soon after the disaster, plans were made to build the I-35W "Remembrance Garden." But, despite best efforts to raise money for the memorial, more than three years had passed since the collapse and there were no definitive plans to build it.

Therefore, we contacted the Minneapolis Mayor's office to find out how much it would cost to build and maintain the Memorial. The Mayor's answer was \$1.5 million. The court had ordered a court-supervised settlement conference on a hot Saturday in August 2010. During that marathon conference, we demanded and collected an additional \$1.5 million from defendant URS Corp.—the foreign multinational corporation which we claimed was primarily responsible for the catastrophe. This amount was over and above the full compensation we recovered for our clients. All of the attorneys who represented those injured and who lost loved ones donated this money to ensure the building and maintenance of the Memorial.

Now a reality, the Memorial was dedicated on August 1, 2011, the fourth anniversary of the catastrophe. We hope our clients will find its enduring presence a source of ongoing comfort and a fitting testament to their courage and loss.



▲ A select number of Robins, Kaplan, Miller & Ciresi L.L.P. lawyers and staff who worked on the I-35W bridge collapse case.

## BRIDGE COLLAPSE JUSTICE

In early 2009, we sent URS a pre-suit demand for \$45 million on behalf of our clients. Our demand fell on deaf ears. During a later mediation, URS offered \$3 million to settle the case. After reviewing millions of pages of documents produced by URS, we found ample support for a motion to assert punitive damages based on our claim that URS acted with deliberate disregard of the public's safety. On July 15, 2010, we argued our motion for punitive damages. The hearing went very well for our clients.

With our punitive damages motion pending, the court ordered all parties to a court-supervised settlement conference. On Saturday, August 14, 2010, we arrived at the courthouse at 8:00 a.m. About 13 hours later, we left the courthouse with a settlement of \$52.4 million (\$1.5 million more than we demanded a few weeks earlier). This recovery provided all of our clients with their "total damages" as had been determined by the Special Masters resulting from the 9/11-type "Bridge Bill."

On November 12, 2010, three years and three months following the catastrophe, the court approved the wrongful death and minor settlements, thus concluding the "Bridge Cases."

## THE LEGAL TEAM

The I-35W bridge collapse case was historic in many ways, including its status as perhaps the largest and most coordinated *pro bono* effort in State history. Our firm had the honor of teaming up with our state's finest law firms and trial attorneys to form what we called the "Consortium."

### Consortium Member Firms

- BOLT & HOFFER
- CONLIN LAW FIRM, LLC
- ECKBERG, LAMMERS, BRIGGES, WOLF & VIERLING
- FLUEGEL LAW OFFICE
- FRENTZ & FRENTZ
- GASKINS, BENNETT, BIRRELL & SCHUPP
- GOLDENBERG & JOHNSON P.L.L.C.
- HALLBERG & MCCLAIN, P.A.
- HARPER & PETERSON, P.L.L.C.
- HAUER, FARGIONE, LOVE, LANDY & MCELLISTREM, P.A.
- KAUFFMAN LAW FIRM
- LAW OFFICE OF LOGAN N. FOREMAN
- LOCKWOOD LAW OFFICE
- MARING WILLIAMS LAW OFFICE, P.C.
- MASCHKA, RIEDY & RIES, P.L.L.P.
- MASER & AMUNDSON, P.A.
- MATONICH & PERSSON CHARTERED
- NOVITZKE, GUST, SEMPFF, WHITLEY & BERGMANIS
- PERALTA & PERALTA, LTD.
- ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
- SAWICKI & PHELPS, P.A.
- SOUCIE LAW
- TSR INJURY LAW

At [Robins, Kaplan, Miller & Ciresi L.L.P.](#), more than 130 people contributed more than 20,000 hours of *pro bono* work to the common goal of doing the best job possible for all those represented by the "Consortium." We are honored and grateful for the tremendous commitment by our team members, many of whom went well beyond the call of duty in serving all clients.

# TIME LINE

2007

AUGUST 1, 2007

The Greatest Man-Made Catastrophe in State History occurs when the I-35W Bridge collapses into the Mississippi River.

AUGUST 2007

Robins Kaplan Miller & Ciresi L.L.P. announces decision to represent any and all persons on bridge on a *pro bono* basis and works with others to create the "Pro Bono Consortium" of lawyers from 23 law firms.

EARLY 2008

Consortium and clients testify at many House and Senate hearings and keep constant vigil at the Capital in early 2008 in support of a Bridge Fund statute to correct the injustice of the State's liability cap of only \$1 million for all to share.

MAY 8, 2008

Governor signs historic bridge bill providing \$38 million in initial compensation to survivors and those who lost loved ones.

MARCH 29, 2009

Consortium makes settlement demand to URS for \$45 million. URS chooses not to respond with any offer.

SUMMER 2009

Consortium, representing more than 100 plaintiffs, files suit against URS and PCI.

OCTOBER 28, 2009

Consortium settles case after mediation with defendant PCI for confidential amount.

SEPTEMBER 2009 – JULY 2010

Consortium participates in over 70 depositions and reviews millions of pages of documents produced by URS.

FEBRUARY 1-3, 2010

Consortium attends three day mediation in which URS offers \$3 million. Consortium rejects offer.

JUNE 28, 2010

Consortium brings punitive damages motion against URS. Court hears motion on July 15, 2010. The hearing goes very well for the Consortium and very badly for URS. The court reserves its ruling.

JULY 14, 2010

Consortium demands that URS pay \$50.9 million to settle claims.

AUGUST 14, 2010

Court holds court-supervised settlement conference with punitive damages motion pending. Consortium demands an additional \$1.5 million to fund building and maintenance of Memorial. Case settles after URS pays an additional \$52.4 million.

AUGUST 14, 2010

All lawyers representing all survivors and those who lost loved ones donate \$1.5 million for the construction and maintenance of a Memorial.

AUGUST 1, 2011

Remembrance Garden Memorial dedication.

2011

# THE ROBINS JUSTICE REPORT

Philip Sieff and Chris Messerly, I-35W bridge collapse lead Consortium lawyers.



This memorial was made possible through generous contributions from many individuals and businesses, particularly the attorneys who also provided free legal services for those honored here.

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