

Subrogation Department Settles Fire Rekindle Case

Ben Staherski, a Partner in the Subrogation Department, recently settled a case at mediation in a matter he litigated through discovery in Arizona. The case involved a claim against a major municipality in Arizona under the theory that the fire department failed to perform proper fire suppression and overhaul, which resulted in a rekindle fire hours after the fire department left the scene. The initial fire was caused by careless cooking in an apartment unit, which was contained to the stovetop and cabinetry above. The rekindle resulted in multiple units in the apartment complex sustaining fire damage. Ben identified Standard Operating Procedures that the city's fire department failed to adhere to in establishing that they were negligent in completing overhaul and failing to identify potential hot spots and areas susceptible to rekindle. At the mediation, Ben negotiated a settlement of the matter for a sum in the mid-six figures.

