



Explosion victims file lawsuit

By Tara Bowie Sentinel-Review
August 5, 2011

WOODSTOCK— The victims of the explosion and fire that killed two and left close to 100 homeless are now seeking \$60 million in damages.

A class-action lawsuit was filed to the Ontario Superior Court July 29 on behalf of residents who lived in the building at 168 Victoria St. S.

An explosion and fire ripped through the 45-unit apartment complex around 8:20 a.m. on March 27, killing Margaret Gillett, 73, and Bill Watmough, 79.

One of the lawyers representing victims in the lawsuit, Toronto-based attorney Theodore Charney of Falconer Charney LLP, has been involved with a number of recent high-profile cases, including the Maple Leaf listeria contamination outbreak and the Menu Foods pet food contamination that killed and injured animals.

"We just hope the defendants see this as a case they should settle as early as possible," Charney said. "We are talking about people, the majority of them elderly that have lost everything and that need money to move on with their lives."

Four defendants have been listed in the Victoria Street South lawsuit, including Union Gas Limited and Coinamatic Canada Inc.

Union Gas supplied fuel to the building's furnace located in the mechanical room and to the laundry room appliances. The claim alleges the source of the explosion originated in the laundry room located in the basement of the building.

"We've had our own group of experts investigate this. There's no doubt it started in the laundry room. Everyone agrees," Charney said.

Andrea Stass, manager of public affairs and media relations for Union Gas, hadn't been notified of the lawsuit as of Thursday, Aug. 4.

"I think it's important to note the Ontario Fire Marshal's Office has not yet finished its investigation. They are continuing their investigation and we are assisting as needed," she said during a telephone interview.

Stass added Union Gas has completed its own internal investigation that ruled out pipeline, regulator and meter malfunctions.

"We're confident it's not related," she said.

A call to the Ontario Fire Marshal's Office to check in on the status of the investigation went unreturned by press deadline

Coinamatic was the installer of the laundry appliances in the building. The lawsuit claims the company failed to ensure the laundry room was adequate to safely run the machines. Calls to Coinamatic's head office in Mississauga were not returned by press time.

Also named in the lawsuit is the owner of the building, Norquay Developments Limited, and on-site property manager Carolyn Dedrick.

The suit claims Norquay failed to properly maintain the building, including the laundry room, and that the laundry room was not up to current building codes and standards.

"It's as simple as this; if you own a building and that building blows up, you are responsible through the Landlord-Tenant Act for your tenants' belongings. You might not know this, but some of these people have lost \$40,000 to \$50,000 in contents. That makes it quite difficult for someone to start over," Charney said.

Mike Howe, president of Norquay, said the company was notified of the lawsuit, but he couldn't comment on the case.

"I really can't comment. It's before the courts and being handled by our insurer and lawyer," he said.

The suit claims Dedrick, who was responsible for maintenance around the building, failed to notify emergency personnel immediately that there was a hissing noise emanating from the laundry room the morning of the explosion.

Dedrick declined to comment when called by the Sentinel-Review, instead referring any questions with regards to the lawsuit to Norquay's head office.

Two plaintiffs are identified by name in the lawsuit – Cindy Gale and Paul Gibbon. Charney said class-action lawsuits are designed to have two plaintiffs represent the entire group of victims.

"Not everyone can make it to court cases and everything that is required in a lawsuit," he said.

Charney said all tenants who survived the explosion are a part of the lawsuit and the settlement will be awarded accordingly.

Within the next 30 to 60 days Charney will apply for certification of the lawsuit. A judge will then assign a date for the hearing to start. Lawyers from Sutts, Strosberg LLP in Windsor are also working on the case.

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