

Secret settlement in quake suit

By MARK BERGSTROM
Sentinel staff writer

SANTA CRUZ — A lawsuit triggered by a death and injury in the Oct. 17 earthquake will not go to trial. Attorneys announced Friday, a confidential settlement had been reached in the suit filed by a woman who survived, and relatives of another worker who died in the collapse of a building's wall.

Attorneys would not comment on the settlement and terms of the agreement were sealed in the court file.

The suit was filed against Ron Lau, owner of the Bookshop Santa Cruz building which fell onto the Santa Cruz Coffee Roasting Co. in the earthquake.

Brittany Manriquez, an employee of

the Coffee Roasting Co., was rescued after being pinned in the debris, but co-worker Shawn McCormick died of asphyxiation from being crushed by the brick wall.

Manriquez and McCormick's mother and 2-year-old daughter sued Lau, claiming he was warned by city building inspectors in 1987 and 1988 that his unreinforced masonry building was dangerous and would threaten public safety in an earthquake.

Because of the settlement, that controversial question will not now be aired in court.

According to papers filed in the suit, Dave Steeves, former chief building official for the city, sent notices in 1987 to all owners of unreinforced masonry

buildings downtown, requesting them to attend a meeting to discuss problems with their buildings.

The suit alleged that Lau attended that meeting and learned from Steeves that his building constituted a hazard.

The suit further alleged that after receiving a complaint from a bookstore patron in July 1988, former building inspector Michael Hernandez conducted an inspection and told Lau the building was dangerous.

Hernandez told the Sentinel that he gave Lau 90 days to prepare a plan to retrofit the building. But, Hernandez said he left his job on disability before the time limit was up and the city did not follow up to see that Lau made the repairs.

Lau, who previously had refused to comment on the lawsuit, could not be reached Friday for comment on the settlement.

His attorney, Mark Lee, said Friday's settlement was predicated on the terms not being disclosed.

Lee refused comment on the case, saying, "There has been enough publicity about this event already." Plaintiffs' attorneys proposed a settlement last July that was rejected. That offer called for payments of \$950,000 for McCormick's daughter, Amber; \$250,000 for his mother, Ethel McCormick; and \$550,000 for Manriquez.

S.C. Sent
9-8-90

REFERENCE

Santa Cruz Sentinal
Sept. 8, 1990