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\$23M settlement approved in Sunrise Propane class-action lawsuit

CTV Toronto

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Nearly six years after an early-morning blast at a propane plant in Toronto killed one man and forced thousands of people to evacuate, a \$23 million settlement in a class-action lawsuit has been approved Thursday.

The Sunrise Propane lawsuit involved 6,500 claimants. They were all evacuated from their homes after an explosion at the plant on Sunday Aug. 10, 2008 sent fireballs into the air at 4 a.m.

The blast caused millions of dollars in property damage in the Keele Street and Sheppard Avenue West area.

PHOTOS



Flames shoot up at the scene of a propane explosion at Sunrise Propane in Toronto as dawn breaks on Sunday Aug. 10, 2008. An Ontario company convicted in a deadly explosion of a propane plant in Toronto will be back in court Dec. 9 for sentencing. (THE CANADIAN PRESS / Angela Deluce)

An employee of the plant, 25-year-old Parminder Saini, was killed in the blast. A firefighter who responded to the emergency call that day, also died of a heart attack.

Harvin Pitch of Teplitsky Colson, one of several firms representing the claimants, said that justice had won out.

"This was a reasonable settlement. We always thought it was...so justice is done," Pitch said after the hearing.

Bob Potts who represented Sunrise said the class-action lawsuit was "very well managed extremely well by good counsel."

How much each claimant will receive from the settlement will depend on factors such as uninsured losses and expenses related to personal injuries. Some individuals could receive up to \$1 million.

Pitch has previously said that insurance companies will also receive \$8 million from the settlement which will be used to cover fees and administrative costs.

A resident who lives in area of the blast said that news of the settlement being approved is a welcome relief to those who were affected by the explosion.

"A lot of people are suffering and they are hurting and they are waiting for what they deserve," James Erceg told CTV.

But not everyone is satisfied by Thursday's outcome. Lynda Federico says the class-action lawsuit unfairly excluded some people, including herself.

"It's not fair," she said. "People are permanently scarred by what happened."

Ted Charney, another lawyer who represented the claimants, said they used the official evacuation boundaries to determine who was included in the lawsuit.

"In court, I said we were very sorry about it but somebody has to draw the line in terms of who is in and who is out of t said. "We used the evacuation boundaries and unfortunately that means some people were not included."

The settlement will likely be paid to the claimants in the next six to 12 months.

With a report from CTV Toronto's John Musselman



A Facebook social plugin comment box. On the left is a grey silhouette of a person's head and shoulders. To its right is a large rectangular text input field with the placeholder text "Add a comment...". Below the input field is a button with the text "Comment using...".

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