

Jury awards damages in explosion suit

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WATERLOO, Iowa --- A jury has returned a \$1.72 million verdict in the case of a Hudson woman who was burned in a 2008 home propane explosion.

But Donna Firgard will see only a portion of the money.

Firgard, 68, and her husband, Richard, took propane provider New Century FS, a subsidiary of Growmark, to court in connection with the blast, which leveled her home and left her with second- and third-degree burns. The couple claimed the company didn't do enough to warn them about the limits of odor-causing chemicals injected into the gas as a warning and didn't adequately warn them about the importance of leak detectors.



Hudson firefighters help battle a blaze as a result of a natural gas explosion on Watters Road Friday, May 30, 2008 in Hudson, Iowa. Donna Firgard, 65, was home at the time of the explosion and was rushed to an Iowa City burn unit for treatment. (Courier File Photo)

The trial started Nov. 29, and on Monday afternoon, jurors reached their verdict. They awarded Donna Firgard \$1.655 million in damages --- \$126,587 for past medical expenses, \$108,000 for future medical expenses, \$530,000 for past pain and suffering, \$225,000 for future pain and suffering, \$375,000 for loss of function and \$290,931 for property damage.

Richard Firgard was awarded \$60,000 for loss of consortium.

The decision found New Century FS was 40 percent at fault. Thirty percent of the blame went to the Firgards, and the remaining 30 percent to J.C. Plumbing, which nicked and then repaired the underground gas line in 2002.

The breakdown means New Century pays 40 percent of the damages --- \$686,000. J.C. Plumbing wasn't a defendant in the lawsuit because the company already settled out of court.

The Firgards' insurance carriers will receive a portion of the verdict, which will leave the couple with about \$500,000 before attorney fees.

Attorney Brett Beattie --- who, along with his father Donald Beattie, represented the Firgards --- said the case shows the importance of leak detectors.

"This trial was a referendum on gas detectors --- telling Iowa propane companies that derelict safety choices will not be tolerated," Brett Beattie said. He said top company officials admitted it was unsafe to use propane in a basement without the detectors, yet the company made a decision to not take steps to get them in homes.

"If Growmark had provided every customer a gas detector, it would have saved itself hundreds of thousand of dollars in Donna Firgard's blood, skin, face, self-image and intolerable pain, as well as legal fees and costs," Beattie said.

During trial, attorneys for New Century said the company provided a number of warnings about gas detectors. Information was included in mailings and on account statements and delivery tickets.