

THE WALL STREET JOURNAL.

This copy is for your personal, non-commercial use only. To order presentation-ready copies for distribution to your colleagues, clients or customers visit <http://www.djreprints.com>.

<http://www.wsj.com/articles/settlements-reached-in-lawsuit-over-2014-mudslide-in-oso-wash-1476147214>

U.S.

Settlements Reached in Lawsuit Over 2014 Mudslide in Oso, Wash.

The mountainside collapse was the deadliest landslide in U.S. history



Corrie Yackulic, right, an attorney representing several family members of victims of the 2014 Oso, Wash., landslide, hugs Lisa Bevjl, left, who lost her brother Alan in the slide, in King County Superior Court in Seattle on Monday. *PHOTO: TED S. WARREN/ASSOCIATED PRESS*

By JIM CARLTON

Oct. 10, 2016 8:53 p.m. ET

The state of Washington and a local timber company have agreed to pay \$60 million to survivors and families of those who died in a devastating 2014 mudslide that buried the mountain community of Oso, 60 miles north of Seattle.

Under separate settlements reached on the eve of a trial that was set to begin in state Superior Court in Seattle on Monday, the state agreed to pay \$50 million.

The timber company, Grandy Lake Forest Associates LLC, agreed to pay \$10 million.

The March 2014 collapse of the mountainside was the deadliest landslide in U.S. history, unleashing a wall of mud and debris that killed 43 people and destroyed more than 40 homes.

A class-action suit brought by about 40 plaintiffs accused the two parties, along with Snohomish County, of taking actions that endangered the 200 residents of Oso, an unincorporated town situated at the base of one of the most active slide zones in the state.

Claims against Snohomish County were dismissed by the state Superior Court judge in the case. But lawyers for the plaintiffs said they would appeal to reinstate their case against the county where the slide took place. A county spokesman declined to comment pending the prospect of ongoing litigation.

The settlements headed off a trial that was expected to last months.

“I guess the state decided to put this behind them sooner rather than later,” said Scott Linneman, professor of geology at Western Washington University in Bellingham, Wash.

The state Department of Natural Resources erred, among other things, by building a 30-foot retaining wall at the base of a geologically unstable hill that allowed a dangerous buildup of sediment and debris, then failed to warn residents below it of the risk, plaintiffs’ lawyers said.

The timber company erred, in part, by chopping down more trees than it was permitted in 2004, allowing more rain and snow runoff than usual to saturate the ground, said Emily Brubaker Harris, a plaintiffs’ attorney in Seattle. Heavy rains preceded the slide.

Both the timber company and the state have denied any wrongdoing.

Ms. Harris said her clients welcome the settlement.

“I think they are relieved to have some sense of closure, and also a sense of accountability for the tragic events that frankly were preventable,” Ms. Harris said.

Officials with Grandy, incorporated in Washington but owned by German investors, didn't immediately return a call for comment.

Washington state Attorney General Bob Ferguson on Monday called the settlement “a fair resolution” for all parties.

“The Oso landslide represents one of the most tragic events in state history, and the sympathies of Washingtonians remain with those who lost so much,” Mr. Ferguson said in a statement.

In addition, Judge Roger Rogoff imposed a sanction of \$788,664 on the state after plaintiffs’ attorneys discovered emails between state experts in the case had been deleted with the knowledge of the state attorney general’s office.

Mr. Ferguson said an attorney involved in that matter no longer works for his office.

Write to Jim Carlton at jim.carlton@wsj.com

Copyright 2014 Dow Jones & Company, Inc. All Rights Reserved

This copy is for your personal, non-commercial use only. Distribution and use of this material are governed by our Subscriber Agreement and by copyright law. For non-personal use or to order multiple copies, please contact Dow Jones Reprints at 1-800-843-0008 or visit www.djreprints.com.