



# Civil suits filed on behalf of 2 victims of stage collapse

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By Phil Wieland phil.wieland@nwi.com, (219) 548-4352 | Posted: Friday, August 19, 2011 6:00 pm | (32) Comments

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**Jon L. Hendricks | The Times**  
Attorney Kenneth Allen and Beth Urschel, who was injured during the Indiana State Fair stage collapse, arrive Friday for a news conference announcing a lawsuit filed on behalf of Urschel and her life partner, Tammy VanDam, who was killed in the collapse.



VALPARAISO | Beth Urschel had turned to look at the approaching rainstorm when she heard screaming and looked as the stage in front of her collapsed on top of her and her life partner, Tammy VanDam.

Urschel described the events of Aug. 13 at the Indiana State Fairgrounds in Indianapolis during a news conference in Valparaiso lawyer Kenneth Allen's office Friday. The conference was held shortly after Allen filed civil lawsuits on behalf of VanDam, who was killed, and Urschel, both of Wanatah.

"I saw the stage falling," Urschel said from her wheelchair. "Where do you run? Where do you go to survive?"

The couple had front-row seats for a Sugarland concert, which Urschel said was VanDam's favorite group.

"We were wondering why Sugarland was not coming out," she said. "We knew it was going to rain. You could see it coming, but what's a little rain?"

She had a toe severed and another crushed. Doctors reattached the one and both were reconstructed. She also has a broken clavicle, bruises over much of her body, the flesh was torn from her right arm and she has possible internal injuries. Asked how she felt, she said, "I feel so bad I could throw up I hurt so much."

Urschel, 49, said she and VanDam, 42, met in 1999 and were married in Hawaii in 2001 or 2002. Although the marriage is not recognized in Indiana, Allen said he probably will challenge that in court so she would be able to be recognized as any other spouse.

"We had so many plans and things we wanted to do," she said.

Allen said he was forced to file the suits quickly to secure an injunction to prevent evidence from being tampered with or destroyed.

The wrongful death suit filed on behalf of VanDam seeks \$50 million plus punitive damages, while the suit on behalf of Urschel seeks \$10 million plus punitive damages. VanDam's 17-year-old daughter was at Allen's offices during the news conference but decided not to face the media.

"This was a terrible tragedy that could and should have been prevented; the responsible parties must be held to account," Allen said.

He said fair officials were warned twice by the National Weather Service that a severe thunderstorm with strong winds, lightning and hail was bearing down on the fairgrounds. He showed NWS radar images of the approaching storm. The lightning alone should have been enough to cancel the concert and evacuate the people, he said, but they did nothing.

An Indiana State Fair spokesman couldn't be reached for comment Friday night.

Allen said LaPorte Circuit Court Judge Thomas Alevizos will hold a hearing Tuesday on the request for an injunction to protect the evidence. Calling the stage construction "a house of cards," Allen said the collapse was "very foreseeable and preventable."

"Tammy's tragic death leaves her daughter without a mother's love and guidance during the most vulnerable stage of her life," Allen said. "And Beth suffered serious and painful crush injuries along with traumatic amputation, which will impair her for the rest of her life. Our job is to fight for them. We could not stand idly by while others attempt to alter or destroy evidence.

"This is a very special case, and very special harm was done to this family," he said. "It should never have happened and it should never happen again, and we intend to see that is the case."

He said he's been contacted by others injured in the collapse and expects to file more lawsuits soon.

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Posted in Valparaiso, Laporte on Friday, August 19, 2011 6:00 pm Updated: 12:40 am. | Tags: Local News, Valparaiso, Wanatah, Tammy Vandam, Indiana, Porter County, La Porte County, Indiana State Fair

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