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## PRACTICE AREAS

Workers Compensation

Personal Injury

Motor Vehicle Accidents

Wrongful Death

# Wrongful Death Claim Filed As a Result of Massey Mine Blast

5-11-2010

Last month a tragic explosion in a Massey coal mine in West Virginia resulted in the deaths of 29 coal miners.

In mid-April, as reported in this [New York Times article](#), the first [wrongful death lawsuit](#) was filed on behalf of a widow of one of the miners. Marlene Griffith alleged in the lawsuit that her husband, William Griffith, was killed due to the mine's negligence and history of safety violations at the site.

Since that claim was filed, as detailed in this [NPR article](#), the mine company offered cash settlements to most of the surviving family members of each of the dead miners. However, those families that had already initiated a lawsuit or had indicated that they were considering doing so were not offered settlements:

Three people familiar with the offers say they involve \$3 million in cash payments to each family.

Some of the families have filed wrongful death suits or have indicated they intend to sue. At least two of those families were not offered settlements.

The [New York Times reported](#) in late April that the FBI is also investigating the blast and may file criminal charges related to the explosion. One issue being investigated is whether the ventilation systems functioned properly:

(I)nvestigators (were) especially interested in the mine's ventilation system, specifically whether certain air-lock doors and a storage shaft known as the glory hole were properly sealed to control the flow of



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clean and contaminated air.

The West Virginia mine where the explosion occurred had been cited for methane violations 44 times in the 2 years before the blast. These citations are arguably evidence of both the mine's civil and criminal liability for the explosions.

However, criminal prosecutions won't bring back the lives of the miners who were tragically lost in this explosion and monetary settlements will do little to ease the pain and suffering of their grieving loved ones. In the future, perhaps Massey Energy and other mining companies will ensure that they adhere to safety standards thus preventing another devastating explosion from ever occurring in the first place.

Howard Ankin of Ankin Law Office LLC ([www.ankinlaw.com](http://www.ankinlaw.com)) specializes in [workers' compensation](#) and [personal injury law](#). Mr. Ankin can be reached at (312) 346-8780 and [howard@ankinlaw.com](mailto:howard@ankinlaw.com).