

CITY BEAT

\$148M CAN'T HEAL HER HEARTBREAK

Paralyzed former dancer who won big judgment against city says O'Hare accident took away 'the two things that I needed to do the one thing that I love'



Tierney Darden's father, David, wheels her out after a news conference Thursday. She was awarded \$148 million after being paralyzed by a collapsed pedestrian shelter at O'Hare. | RICH HEIN/SUN-TIMES PHOTOS

BY MITCH DUDEK
Staff Reporter

A former dancer who was paralyzed after a pedestrian shelter collapsed on top of her outside O'Hare Airport said the \$148 million the city was ordered to pay her this week will cover medical bills, but that the accident left her "heartbroken."

"I was more upset then anything, and, um, kind of heartbroken, because, you know, my legs were taken away and those were the two things that I needed to do the one thing that I love, which was dance," 26-year-old Tierney Darden said on Thursday.

"I guess I was upset because I knew it was preventable. It didn't have to happen to me, and it shouldn't have happened to me," said Darden, who was a member of a dance troupe and a student at Truman College when the incident occurred during a storm two years ago.

The jury, after hearing how the city

didn't perform needed maintenance to the shelter, deliberated for less than a day on Wednesday. Their verdict was \$26 million less than the amount Darden sought in damages.

Even so, it was the highest personal injury verdict recorded in Cook County, according to Jury Verdict Reporter, a publication that tracks legal outcomes.

The previous record of \$127.7 million was set in 1991 in a product liability case involving a drug company.

Darden said she was taken aback when jurors lined up to hug her following the announcement of their decision. "That was really heartwarming . . . it blew me away," she said, sitting in a wheelchair and flanked by her parents and five attorneys during a news conference in the Loop.

Bill McCaffrey, a spokesman for the city's law department, declined to say whether city attorneys planned to appeal.

"We are evaluating our legal options," he said.

The money would not be drawn from city coffers, but would be paid by AIG Aviation, the insurance company that handles claims for O'Hare.

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The case went to a jury after settlement negotiations collapsed.

"The city's last offer was \$30 million," attorney Patrick Salvi said. "I think our last demand was \$95 million and the negotiations ended there."

"Is it a big verdict, yes. But is it deserved? No question. No question," he said.

Darden's spinal cord was ripped in two, paralyzing her from the waist down. She can't walk and the unique

injury will cause severe pain for the rest of her life, Salvi said.

City attorneys argued that a device that blocks pain from the lower body would mitigate Darden's suffering, but the inventor of the device testified he

was skeptical of the relief it would provide, Salvi said.

Darden's mother, Trudy Darden, said the verdict was a happy surprise.

"As a parent, you always want the best for your children, and in this case we need to know that beyond our lives that she's going to be taken care of," she said.

"And I don't think that people really understand a lot of the costs that come along with this as far as things

she needs every day that are all out of pocket," she said, adding that hopefully a portion of the money will pay for future medical advances that could help her daughter walk again.

"Watching my funny bubbly little girl, you know, be sad and depressed, that's what's been hard," she said.

Salvi slammed the city for not properly maintaining the shelter and others like it.

He said the city was "very careless" and "reckless."

The shelter that toppled was missing bolts and others like it were found to have corroded parts and missing brackets, he said, noting that the city had removed the shelters since the accident.

Tierney Darden was standing with her mother and younger sister outside the airport on a lower-level street across from Terminal 2 when the shelter collapsed.

The trio had just returned to Chicago from Minneapolis, where they'd been shopping for bridesmaid dresses for an upcoming wedding. As the women were waiting to be picked up, a storm rolled through and the 750-pound shelter collapsed.

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