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NEWS with ANN ARBOR **THE NEWS**

Razing doesn't affect lawsuit

Thursday, November 16, 2000

By **LIZ COBBS**
NEWS STAFF REPORTER

A Washtenaw County-owned building has been torn down, but a \$5.75 million lawsuit involving an injury there more than three years ago continues over issues of governmental immunity and accountability.

A Scio Township resident, Gil Anne Crisman-McQuarrie, sued the county after a board fell and hit her on the head during a February 1997 gardening class held in the old MSU Cooperative Extension Service building. The structure was part of the county service center off Washtenaw Avenue and Hogback Road in Pittsfield Township, but was recently demolished.

The negligence lawsuit, filed in March 1998, argued that the county intentionally did not maintain the building because it was scheduled to be demolished. The county contended that it never denied responsibility for the building, but under the state government immunity statute, it could not be liable for the injury unless it knew about a defect in the building and failed to repair it.

Both sides said the recent demolition of the building does not affect the lawsuit, which is now in mediation.

"It (the demolition) doesn't hurt our case," said David L. Moffitt, the Bingham Farms attorney representing Crisman-McQuarrie. "The building's been thoroughly photographed and videotaped. In a way, it vindicates what we've been saying that it was well known before the accident happened that the county was going to tear it down."

The photos, taken last fall, show missing wall, ceiling and floor tiles, and roof pieces that had fallen into a planter outside, among other things.

Moffitt has used employee and expert testimony, in addition to the photographs, to support the plaintiff's

INSIDE

- [News](#)
- » [News Home](#)
- » [Ann Arbor](#)
- » [Ypsilanti](#)
- » [Livingston County](#)
- » [Police Beat](#)
- » [CommunityJournal](#)
- » [Other Voices](#)
- » [Columns+Editorials](#)
- » [Letters](#)
- » [Photo Gallery](#)
- » [Obituaries](#)
- » [News Flash](#)
- » [Weather](#)

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