

Second lawsuit filed over injuries at 2003 county fair

Story

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VALPARAISO | A woman has become the second person to file a lawsuit over injuries she claims occurred on an amusement ride at the Porter County fair two years ago.

Gail Hutchinson (McCarty), who lives in LaPorte County, said she is still suffering from a neck injury that occurred July 19, 2003 on the Starship 2000 ride.

The ride spins, pinning and lifting riders against the interior walls, said Hutchinson's attorney, David Holub, of Hammond.

The ride malfunctioned on the day in question, Holub said. Hutchinson was thrown up and down, and in the process, struck her head, causing the injury, he said.

The suit targets the owner of the ride, Cumberland Valley Shows Inc.; Wisdom Industries, which built the ride; and ride operator, Anthony Tyler.

An official with Cumberland Valley Shows said no one would be available to comment on the suit until the amusement ride season begins late next month.

This latest lawsuit comes in the wake of another filed on behalf of Joe White, who was paralyzed at the age 28 when thrown from a mechanical bull at the county fair six days after Hutchinson's accident.

White's family believes he struck a steel frame beneath the ride's protective pad and crushed two vertebrae.

White's attorney, Kenneth J. Allen, has said the ride is deceptive and needs to be stopped.

Hutchinson could not be located for comment on her suit, but Holub said the woman is unable to work as a result of her injury. He said she was diagnosed with Reflex Sympathetic Dystrophy, which is a chronic, painful and progressive neurological condition that affects skin, muscles, joints and bones.

Hutchinson's lawsuit claims the ride was inadequately constructed and maintained. The company and operator are accused of failing to properly operate the ride, causing it to accelerate suddenly and violently.

The ride was not equipped with the proper safety straps, belts, bars or handles, according to the suit. The ride also lacked an emergency braking system accessible to riders.

When questioned about the delay in the suit, Holub said Hutchinson only recently contacted his law firm. He has not ruled out the possibility of targeting others with the suit, including fair operators.

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