

# Anoka law firm recognized for case that netted \$5.9 million settlement

by Tad Johnson  
Union editor

Many have recounted the story of David and Goliath, but rarely does one have the chance to live it.

A small Anoka law firm played the role of David during a four-year case as it took on and won against a power company giant in a wrongful death lawsuit.

The case took the collective efforts of each of Soucie, Buchman, Wiederholt & Bolt's partners, paralegals and experts in winning a \$5.9 million settlement for their clients — the widow and two small children of a man crushed by a faulty electrical pole.

The case, which was recently selected by "Minnesota Lawyer" as one of the three most fascinating cases of 1998, was equally significant in the firm's eyes.

"This little law firm took on a big power company. It is intriguing from that point of view," said attorney Fred Soucie. "(The power company) used all of the resources they could bring to bear against the widow. It is that kind of a case."

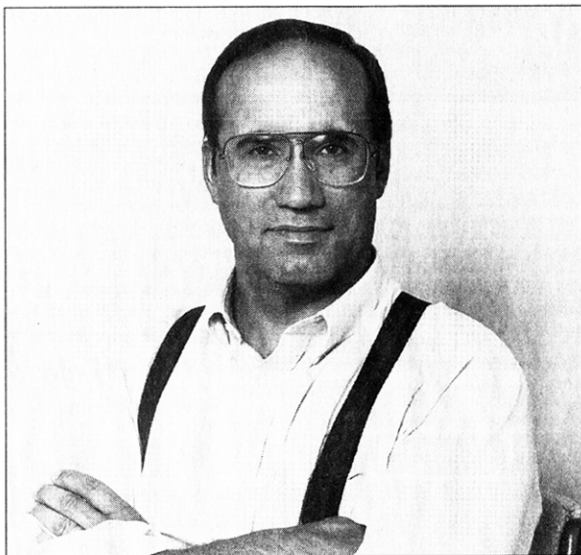
But the forces the lead attorney for the case, Soucie, and his co-workers brought included countless hours of field work, tireless investigative work through dozens of interviews, 37 depositions, the development of 500 exhibits, \$381,000 of the firm's own money, and many late nights in the office over the four-year case.

"Everyone did a wonderful job, my partners, the whole firm and everyone that works with us. It was like I had never seen. It was everybody," Soucie said.

"They were not only united behind me in support, but with the day-to-day devotion, they were completely behind me in spirit. It is so important when you are waging a war against a giant."

## The incident

Paul Nordstrom died Sept. 26,



**Anoka attorney Fred Soucie represented a widow of a man who worked for a power company and was crushed by a faulty electrical pole. (Photo submitted)**

1994, when a power pole he was removing cable from collapsed and fell on top of the father of two.

Nordstrom's wife turned to the Anoka law firm after she was referred to them by a friend who recalled the firm had successfully handled other power-line cases.

"She was an absolute delight to represent," Soucie said. "She stuck to her guns. She had tremendous character and moral depth."

He added that it was easy to "get fired up" to work on the case, because Paul Nordstrom was such a good person, good father and it was "such a needless death."

## Discovery

As the law firm began its investigation of the case, it discovered that Interstate Power Company knew the pole was defective six months before the accident, but did not replace it. The power company

did add a brace to wedge the sagging pole in place, but did not mark the pole with a red "X" to indicate it was defective.

Soucie said the company did not replace the pole because it was scheduled for removal in conjunction with a highway project.

Through the firm's investigation, it discovered that lower level employees urged the pole's replacement or to have a stub placed to support it, but both suggestions were not followed through.

To counter the company's claims that Nordstrom caused his own death, the Anoka law firm retained an expert engineering team to disprove the theory that if Nordstrom had cut a wire with moderate tension, it would have caused the pole to collapse.

Isanti forensic engineer Dr. Robert Svare and St. Cloud State

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Anoka attorney

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mechanical engineer Dr. Steven Covey tested three power poles sunk into Svare's backyard. The tests showed that, even at higher tensions, when a wire was cut, it did not have a significant effect on the pole.

From the field to the office, the firm's employees also rose to the occasion, Soucie said. Associate attorney John Gores was one of those that Soucie said gave a "Herculean effort" and was a "fierce advocate for the family."

The firm dedicated a separate office to holding only paperwork related to the case. As a potential trial neared, the firm arranged to rent an office that was a block from the courthouse. But the trial never happened.

When Soucie's initial settlement demand was not met, he commenced suit in state court in Mankato. Interstate Power Company then brought the case to federal court, involving Nordstrom's employer in the suit.

The parties agreed on the \$5.9 million settlement Oct. 30, 1998.

## Learning by experience

Soucie graduated from the University of Minnesota Law School in 1976.

On graduation, Soucie knew he didn't want to look at another book

for a while, so he spent a year netting clams from a boat in the Atlantic Ocean. A picture on Soucie's wall with his captain, Wayne Watson, depicts Soucie as a younger, rugged-looking man.

Soucie said Watson taught him the value of hard work and that if you make a mistake out at sea, it can mean a world of trouble.

"He said, 'If you are going to do something, do it the best you can the first time around,'" Soucie said. That lesson seemed to stick with the attorney.

When Soucie returned, he took a job in Anoka and helped his mother raise his younger brothers aged 16 and 13. Soucie said through that experience and growing up in a family of eight children, he learned the value of taking care of others.

Soucie has been featured as a leading Minnesota attorney in "Law & Leading Attorney" each year since it started in 1994. "Minnesota Law & Politics" has selected him as a "Super Lawyer" over the last several years.

Soucie lives in Anoka with his wife, Lynn, and his daughters, Sarah and Ruth.

"There isn't a way in heaven that I couldn't have done it without the support of my wife and two daughters," Soucie said.