

There is no one key to successfully resolving a catastrophic explosion, fire or electrocution event. Often there are multiple keys and the keys can vary from incident to incident. Effectively managing such an event is neither an impossible nor overwhelming task. It can seem that way at times, but with the right approach, successful management can and does occur.

Many of the impediments to successfully resolving a catastrophic event are recurrent. They are not always readily discernable. They are not necessarily easy to address. While each one may not arise in every instance, they occur with sufficient frequency to warrant special attention and specialized expertise.

Knowing the issues, knowing what circumstances caused them and knowing what to do about them all require experience. That experience must be extensive. It must be coupled with imagination. It must evolve, incorporating advances in law and science that impact the value and utility of that experience.

Nothing substitutes for trying an explosion, fire or electrocution case before a jury. Having done so multiple times and in a variety of jurisdictions and factual circumstances is essential to building the experience base from which to develop the expertise to manage and resolve catastrophic occurrences. Even in the current era of mediation, arbitration and other forms of alternative dispute resolution, trial experience and trial ability are paramount. Trials still take place. Trial is still the “alternative” that makes alternative dispute resolution work.

Managing a catastrophic event for desirable resolution includes managing for a favorable outcome at trial. However, a catastrophic incident should also be managed to create and take advantage of opportunities to achieve a successful closure without the costs, exigencies or fortuities of trial.

Successful resolution without trial or, in some instances, independent of the outcome of trial, requires recognition of the potential for implementing effective strategies, preparedness to implement those strategies and the capability to effectuate the strategies selected. Just as forming and implementing a strategic plan are essential to successful resolution, so is evading the numerous obstacles that can halt the steady progress of any plan. The plan for resolution must be realistic. It must be directed toward obtainable goals. It must be guided by the foresight to avoid errors.

A catastrophic explosion, fire or electrocution event will be resolved. Eventually, at some staggering loss or cost, it will end. When it is resolved, how it is resolved and the expense and results of resolution are matters that can be controlled.



Experience • Preparation • Knowledge • Involvement • Commitment

These are the keys to successful resolution.