

Richard Rosen Defends Owner in Sofa Store Suit

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By Ron Menchaca
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The family of a sixth Charleston firefighter killed in the Sofa Super Store blaze is suing the store's owner, several furniture manufacturers and other companies, alleging the businesses were negligent in his death.

The wrongful death lawsuit was filed by Kimberly Drayton, widow of fallen firefighter James "Earl" Drayton, on May 21 in Charleston County. Drayton was one of nine city firefighters who died in the West Ashley store June 18.

Drayton is represented by attorneys Larry Richter and Dwayne Green. Richter also represents some of the other families who have sued.

The families of Capt. Louis Mulkey, Capt. Billy Hutchinson and firefighters Melvin Champaign, Brad Baity and Mike Benke have filed similar suits.

"We want to make sure Mrs. Drayton has the same opportunities to resolve this case as the other litigants," Green said.

The suits target the site's owners, the manufacturers of the furniture in the store, a building contractor and the companies that built the fire doors that investigators later determined had malfunctioned.

The suits don't name the city or its Fire Department as defendants, although Mayor Joe Riley and Fire Chief Rusty Thomas were subpoenaed in October as part of the Champaign lawsuit, the first to be filed.

Firefighter Coverage

Sofa store attorney Richard Rosen could not be reached for comment Thursday. In response to the previous suits, Rosen said the store's owners have worked since the fire to ensure that a similar tragedy never occurs and have cooperated at every step of the investigations.

An investigative report released this month by a city-appointed consulting panel found that the Fire Department and the store were to blame for the deaths. Green said those findings bolstered his desire to get to the bottom of what happened that night.

Court-ordered mediation in the sofa store suits is scheduled to begin next month, Green said.