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Eureka ordered to pay \$600,000

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By CHERY SABOL
 The Daily Inter Lake

The city of Eureka has been ordered to pay more than \$600,000 to a family whose home was damaged by a sewer backup.

A jury Thursday awarded the money to Stan and Bonnie Williams, whose home was damaged on Oct. 28, 1999 -- the sixth time the city's sewer backed up into their home, according to their attorney, Sean Frampton of Whitefish.

He said the jury saw photographs of a root that had grown through the city's sewer pipe, causing the problem.

The accident left 3 inches of sewer water in their home, covering 1,700 square feet, Frampton said. That, combined with normal humidity plus water used by a restoration company, created a perfect environment for stachybotrys mold, which sickened the couple's children.

Testing by the state health department in March 2001 showed high levels of mold spores in the home, he said.

The city maintained it had no responsibility for the damage. A jury found otherwise.

It awarded the Williamses \$255,000 for damage to the house and \$45,000 for damage to their personal property. The jury awarded \$152,000 for expenses. The couple also received \$148,000 for emotional distress.

The judgment will be reduced by \$200,000 already paid to the family by Stat! Disaster Restoration, Frampton said.

The city was represented by attorneys Terry McDonald and Robert Lukes of the Garlington, Lohn & Robinson law firm in Missoula. They were not available Friday to comment on the jury award.

Frampton said the couple is happy the matter is resolved.

"They built their dream home and it was taken from them," he said. "They didn't do anything wrong.

"We're just extremely happy for the family."

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