

# Great White Dropped From First Nightclub Fire Lawsuit

**Another lawyer who hasn't filed yet says he doesn't plan to target rock band.**

By Jon Wiederhorn

A lawyer representing 16 plaintiffs in a lawsuit filed in the wake of the Station nightclub fire that killed 99 people in February has dropped Great White from his list of defendants.

Brian Cunha, the first attorney to file suit following the February 20 disaster (see ["Victims' Families File Suit Over Rhode Island Club Fire Disaster"](#)), said he decided not to target Great White because five of his clients are friends of the bandmembers and requested they not be named, and more importantly, his clients would have nothing to gain financially from suing Great White, whose pockets are not terribly deep.

"They have no assets, so it would be a Pyrrhic victory [one gained at too great a cost]," Cunha said. "Part of any litigation has to be driven by practicality. I could probably get a judgment against them, but it would be worth nothing. Maybe it would be symbolic, but I'm not sure that's what my clients need."

A second attorney representing an additional 50 survivors and family members of victims has also decided not to include Great White as defendants in a suit about to be filed. But a third attorney who filed in federal court last week has no intention of dropping his case against the band, whose pyrotechnic display lit the club's soundproofing foam, causing the fire (see ["Rhode Island Club Fire Suits Could Be Consolidated"](#)).

"Anyone who is responsible should be brought into this case," said lawyer Ronald J. Rasmini. "It would be a huge transgression not to include Great White. I don't care if they've got five cents to contribute to this case. If they're negligent, they should be in there."

It is unknown whether Rhode Island lawyer Stefanie DiMaio Larivee, who filed suit last month on behalf of a 6-year-old who lost her mother in the fire, will keep the band in her suit (see ["New LawsUIT Over Club Fire Targets Radio Station, Brewer"](#)).

Great White attorney Ed McPherson, who announced Thursday that the band will launch a benefit tour in June for victims' families and survivors, said he was pleased by Cunha's decision (see ["Great White Announce Benefit Tour For Club Fire Victims"](#)). Now is not for finger pointing, he said, adding that the best way to help those who have suffered is to raise funds immediately.

"Rather than get on the bandwagon and sue everybody, I think everybody should try to get together and do whatever they can to raise money for the victims," McPherson said. "Lawsuits may take a very long time to complete, and I gotta think the band is doing the right thing in saying, 'Whether or not we're sued, we're gonna go out there and help these people.' "

Jeffrey Pine, a lawyer for Station co-owner and defendant Jeffrey Derderian, was dumbfounded by Cunha's announcement.

"It would be unfair to blame the people who lit the fire, right?" he said sarcastically. "I just think it's absurd not to sue the people who are directly responsible for the fire that caused the injuries and the deaths. I can't imagine what legal strategy went into that decision."

In addition to dropping Great White from his lawsuit, Cunha added two new defendants, General Foam and Foamex. Both companies are national manufacturers of the polyurethane foam that caught fire at the Station.