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February 5, 2024

Legislative Services Building
90 State Circle
Annapolis, MD 21401

Dear Sir or Madam:

Attached please find attached please find my statement and support of house bill 83.

Thanking you for your prompt attention to this request, we remain,

Yours very truly,


Andrew E. Bederman
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Of Counsel:

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One day about two years ago, at the Friendly Garden Apartments on the 2400 block of Lyttonsville Road in Silver Spring, a maintenance worker was doing plumbing work in the basement. While cutting pipe, the worker negligently severed a gas line, which allowed dangerous and explosive gas to leak out, filling the basement. On the morning of March 3, 2022, that leaking gas exploded.¹

On that day, Jane Doe,² a 60-year-old grandmother, was sitting in her daughter's unit at Friendly Garden Apartments, waiting for her daughter and grandchildren to return. When the gas ignited, the apartment building was destroyed, with Doe still inside her daughter's apartment.

Unconscious but fortunate to survive, Doe was pulled from the smoldering rubble and taken by ambulance to the Burn Unit at Washington Hospital Center. When she woke up, she learned that second and third-degree burns covered her body, including her scalp, face, eyelids, wrists, hands, neck, arms, shoulders, and legs. She needed to breathe through a tube because the searing heat from the explosion had burned her airway, making it hard to breathe on her own.

Over two months in the hospital, Doe endured more than a dozen surgeries, including skin grafts to her arms, legs, shoulders and face. Her eyes and eyelids were so damaged by the fire that her eyesight was impaired and she could not close her eyes to sleep. She had muscle contractures in her hands, limiting her strength and range of motion. On April 15, 2022, a finger on her left hand was amputated because it could not be saved.

Doe was discharged on May 26, 2022, but her nightmarish ordeal has not ended. She spent most of the past twenty (20) months going in and out of hospitals for multiple scar revision procedures, occupational and physical therapy sessions, and treatments for ocular, pulmonary, and cardiovascular injuries that she suffered due to the gas explosion.

Doe has more than \$3 million in medical expenses to date, and her future medical, surgical, rehabilitation, and life care needs will cost much more. Any compensation she might obtain in a lawsuit for medical expenses, however, will go to reimburse her health insurer and to pay doctors and hospitals for the future care that she needs, for the remainder of her life expectancy.

Doe's life as she knew it was changed irrevocably on March 3, 2022. Although the Friendly Garden Apartments have ample insurance coverage, Maryland law arbitrarily and unfairly limits what Doe can recover as compensation for her persistent and ongoing pain, anguish, disfigurement, and loss of enjoyment of the life she once had – the life that she would still be living, but for the unreasonably unsafe conduct of a poorly-trained maintenance worker.

If the incident had happened just 2.0 miles away in Washington DC, the law would not limit Doe's compensation unfairly. Maryland law should not limit fair and just compensation for injured Marylanders. **Please enact HB83 and repeal § 11-108.**

¹ Washington Post, "Silver Spring apartment explosion sends 10 to the hospital, leaves others missing" (Mar. 3, 2022) available at <https://www.washingtonpost.com/dc-md-va/2022/03/03/laytonsville-fire-apartment-collapse/>.

² My client is still recovering from the severe injuries she suffered in this incident and she does not wish for her name to be made public at this time.

















