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Chicago Attorneys Blast ‘Reprehensible’ Suit Targeting Las Vegas Shooting Victims.

Chicago Daily Law Bulletin

One Chicago plaintiff’s lawyer who represents several victims of the Oct. 1, 2017, mass shooting in Las Vegas slammed MGM Resorts Internationals’ lawsuits against festival-goers as “reprehensible.”

Antonio M. Romanucci, principal and partner at Romanucci & Blandin LLP, is filed lawsuits on behalf of 14 victims injured at the Route 91 Festival off the Vegas Strip. In an interview today, he said some of his clients are among the thousands of people sued by MGM, which owns both the Mandalay Bay casino from where the gunman fired and the concert grounds across the street where victims were in the line of fire.

Romanucci said the legal action opens emotional wounds while clients’ physical wounds are only a few months old.

“They absolutely feel like they’re being victimized,” he said. “They’re making them relive this entire event all over again, not giving them the time to heal.”

Romanucci said such an attack was foreseeable to MGM, citing the arrest of a man inside Mandalay Bay in 2014 found with assault rifles in his room.

MGM filed the actions in several states hoping to stem liability for the shooting under the Support Anti-Terrorism by Fostering Effective Technologies Act of 2002, known as the SAFETY Act, which was passed by Congress to grant liability protections to companies that develop anti-terrorism technologies and services.

Under the law, an office under the Department of Homeland Security designates and certifies products and services as qualified anti-terrorism technologies, or QATTs.

In its suits, MGM argues its certified QATT security services were used at the festival, limiting the company’s exposure to injury claims stemming from an act of terror.

So far, DHS has not determined the Oct 1. shooting was terrorism. In a announcement posted on the department’s SAFETY Act website, DHS said the matter is currently under review.

Without that designation, Romanucci called the resort chain’s legal maneuver inappropriate.

"They are very premature with their lawsuit," he said.

Romanucci, whose firm has been hired to represent mass-shooting victims in cases including the Pulse Nightclub incident in Orlando, Fla., and one at Power Ultra Lounge in Little Rock, Ark., said he's never seen a corporation of any size facing potential liability for shootings use a similar strategy.

"For right now, they are seeking a declaration they are not liable," he said.

The defendant festival-goers will try to dismiss the claims. But if MGM is successful, the ruling would likely trigger a stay on all the injury litigation filed across the country.

"They want to put a brick on everything," Romanucci said.

Should injury cases reach trial, Romanucci said he expects MGM to raise the SAFETY Act as an affirmative defense.

Debra DeShong, spokesperson for MGM Resorts, called the stories of victims "heartbreaking."

"While we expected the litigation that followed, we also feel strongly that victims and the community should be able to recover and find resolution in a timely manner," she said in an e-mail. "Congress provided that the Federal Courts were the correct place for such litigation relating to incidents of mass violence like this one where security services approved by the Department of Homeland Security were provided. The Federal Court is an appropriate venue for these cases and provides those affected with the opportunity for a timely resolution. Years of drawn out litigation and hearings are not in the best interest of victims, the community and those still healing."

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