



Local News

Sides reach \$2.5M settlement in case; In regards to 2001 death at Haunted Mine Tour

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BISBEE - A lawsuit stemming from the Queen Mine Tour Halloween accident that claimed the life of a Naco, Ariz., woman nearly three years ago has been settled out of court.

The case against the city of Bisbee, Phelps Dodge and the Kiwanis Club was set to go to trial Tuesday. But on Monday, a settlement was reached between the relatives of Amy Armstrong and the defendants.

Michael Johns, the attorney for Armstrong's husband, Darrell, and their two younger children, Dakota and Dillyn, said the case was settled for \$2.5 million.

The city's share, which will be paid by its insurance provider, is \$2.2 million, while the Kiwanis Club will pay the remaining \$300,000.

Armstrong, of Naco, Ariz., died in October 2001 from injuries she received when a beam fell on her as she worked as a volunteer at the Halloween Haunted Mine Tour.

She apparently was in a niche in the wall nearly 1,600 feet deep in the mine wearing a costume, and her role was to scare visitors as they passed by in the mine train.

According to reports from the mine inspector, Armstrong apparently fell from the niche and grabbed onto one of the support beams that runs from the floor to the mine's ceiling.

Johns said the settlement will pay all seven defendants varying amounts.

Each of Armstrong's four children will receive \$325,000, the parents, and Armstrong's husband will receive a total of \$500,000 that can be divided any way they choose. The attorneys share was \$700,000.

Johns said the settlement was a compromise, and added he was not surprised the agreement was reached so close to the beginning of the trial.

"It settled a day before the trial. Settlements are (often) done when a trial case has been set," he said. "It took 34 months to get there."

City Attorney Gerald Grask said all he could say was the case had been resolved. He added he was not going to divulge the amount of the settlement.

Johns said it was a significant amount.

"We believe it is the highest amount in a wrongful death (case) in the history of Cochise County," he said.

Johns said his clients were not completely satisfied because no amount of money can bring back Armstrong.

"You are reducing a person to a money (amount)," he said. "It is just a bad situation for everyone."

Grask said the situation will be discussed at next Tuesday's Bisbee City Council meeting. The council must approve the amount.

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