



KIRK McCOY / Los Angeles Times

Attorney Lawrence R. Booth explains \$5-million claim filed against the state in the earthquake death of Lupe Elias-Exposito, pictured at right with her sister, Rosie, who saw her die.

## Family of Quake Victim at Cal State L.A. Charges Negligence, Asks for \$5 Million

By FREDERICK M. MUIR,  
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The family of a Cal State Los Angeles honor student who was crushed to death by a concrete panel that fell from a campus parking structure during the Oct. 1 earthquake filed a \$5-million claim against the state on Tuesday for wrongful death and emotional distress.

The parents and sister of Lupe Elias-Exposito claimed in a two-page filing with the state's Board of Control that university officials were negligent in the design, construction and maintenance of the three-story structure.

Attorney Lawrence R. Booth, who is representing the family of Elias-Exposito, said the accident "was not an act of God but one of flagrant negligence."

In an interview, Booth said the 12-by-5-foot slab would have fallen eventually, even without the force of the Oct. 1 tremor that registered 5.9 on the Richter scale. He said the metal anchors for the slab were set only three inches deep, when the design called for them to be at least six inches deep.

### Another Fell Earlier

Booth said a slab had fallen from another wall of the same parking structure in 1976. The attorney quoted a campus newspaper article in which a quake damage investigator said the slab that fell in October showed no major signs of distress from the earthquake.

"To put it simply," Booth said, "the earthquake had nothing to do with this panel falling and killing Lupe; the panel was hanging by a

### Saturday Is Deadline for Victims of Quake to File for Assistance

Residents of Los Angeles and Orange counties who suffered losses in the Oct. 1 earthquake must file for disaster assistance by Saturday, federal and state officials announced Tuesday.

For those who qualify, the federal government is offering payments for temporary relocation and housing, personal property losses, and medical, dental and transportation expenses related to the 5.9 quake. Low-interest loans are available for business and home repairs. Applicants are not required to show proof of U.S. citizenship.

More than 30,000 people in both counties already have applied for assistance at two application centers. In Whittier, a center is located in the Whittier Quad Mall at 8442 Quad Way. Applications also are accepted at the Harvard Recreation Center, 1535 West 62nd St., Los Angeles. The centers are open from 9 a.m. until 6 p.m. Monday through Saturday. Toll-free telephone information is available at 1-800-338-7698 between 8 a.m. and 7 p.m., Monday through Saturday.

thread and could have fallen at any time."

The university said in a statement that the death of Miss Elias-Exposito was an accident caused by an act of God. University officials refused to comment on the claim Tuesday, said Jeff Stetson, a spokesman for the California State University system in Long Beach.

Since Elias-Exposito was killed, the university has secured the slabs with bolts. Booth said bolts should have been installed after the first slab fell in 1976. "Every day that this condition existed for the last 12 years, someone was rolling the dice."

The state has 45 days to consider

the claim. Booth said he is assuming the state will routinely reject the petition and he is preparing to file a lawsuit in Superior Court to press the claim.

Specifically, Booth is seeking \$2.5 million in wrongful death damages for Leonardo and Olympia Elias, parents of the dead girl, and \$2.5 million in emotional distress damages for her sister Rosie Elias-Exposito, who witnessed the accident. The parents and sister all live in San Gabriel.

Lupe Elias-Exposito, 21, was a pre-med honor student. She was crushed by the concrete block as it fell three stories from the parking structure.