

Lawsuit: Health District mold that killed inspector also sickened others

By [Jeff German](#)

Wednesday, April 22, 2009 | 5:34 p.m.

The family of a Southern Nevada Health District inspector who died in 2007 after being exposed to toxic mold at the district's main office has opened a new front in its legal battle with health officials.

Dan Pauluk's wife, one of his daughters and his caregiver filed a lawsuit in District Court this week, alleging they were "cross-contaminated" from the mold in Pauluk's body and have become seriously ill. Laurie Boswell, a co-worker of Pauluk's, also joined the suit, alleging she has become ill from exposure to mold while working at the health district.

Pauluk's family is also suing the health district in federal court. It filed a wrongful death lawsuit in August 2007 after an autopsy showed the 57-year-old Pauluk died of mold poisoning. The suit was originally filed in District Court, but later moved to federal court.

The allegations at the center of the legal battle are ironic in light of the fact that the Health District defines its mission as protecting the health and well-being of Southern Nevadans.

In its latest suit, Pauluk's family contends health district officials' "despicable misconduct" included conspiring to cover up the extent of the mold problem at the 625 Shadow Lane headquarters.

The suit also alleges that the health district was "fully aware of the high rate of sickness" at the health district building and fraudulently presented the building as a safe work environment.

This was done with "malice" and "recklessness," the suit alleges.

As a result of the misrepresentations, Pauluk's wife, Wendy, his daughter Chrissy and the former caregiver, Dean Zachrison, all have been contaminated themselves and have suffered "severe, serious, disabling and deadly personal injuries," the suit says. And the family has had to move out of its home, which has become uninhabitable.

Dan Pauluk, the suit adds, "wasted away" in front of his family "through the experience of protracted, extremely outrageous, severely painful and debilitating disease directly due to knowing exposure of toxic mold substances by the defendants."

Tracy Eglet, managing partner of Mainer Eglet Cottle, the law firm that prepared the suit, said in a statement that other employees might also be at risk to serious illness from mold poisoning.

"There is a high probability that many other employees and their family members have been affected by the mold presence in the health district building," Eglet said. "We are considering the viability of a class-action lawsuit."

Jennifer Sizemore, a spokeswoman for the health district, declined to comment.

"Unfortunately, we can't comment on it because it involves ongoing litigation," she said.

Besides the health district, Glenn Savage, director of the district's Environmental Health Division, where Pauluk worked, and one of Pauluk's former bosses, Edward Wojcik, who is now retired, are also named as defendants in the suit. So is Jerry Boyd, the district's facilities manager.

In the federal suit, Pauluk's family alleged that most of his exposure to the deadly mold occurred after February 2003, when Pauluk was transferred back to the main Shadow Lane office. The mold was attributed to water leaks in the ceiling above his desk.

His health slowly began to deteriorate, and in August 2005 he was diagnosed with a chronic lung disease, the suit alleges. All the while his bosses denied his requests to be transferred out of the main office.

In September, in response to concerns he voiced about his health, a health district human resources executive showed him a study that indicated the building was safe, the suit says. But later that month, Pauluk learned that his blood contained high levels of toxic mold. Even then, he was not allowed to move out of the building.

In October, following a confrontation with one of his supervisors, Pauluk finally got his wish. He was moved. But by that time, it was too late to save his life. He died less than two years later.

Join the Discussion:

[Check this out](#) for a full explanation of our conversion to the LiveFyre commenting system and instructions on how to sign up for an account.

[Full comments policy](#)

[Most Popular](#)

- 1 [Robert F. Kennedy Jr. picks Nicole Shanahan as his running mate for his independent White House bid](#)
- 2 [UNLV to reopen building where deadly shooting occurred](#)
- 3 [Trial date set for ex-elected official accused of killing journalist](#)
- 4 [Sparks paying ex-police officer \\$525,000 to settle a free speech lawsuit over social media posts](#)
- 5 [Nevada Supreme Court will take another look at Chasing Horse's request to dismiss sex abuse charges](#)

[Scene on the Sun](#)

ENTERTAINMENT

DINING: Capital Grille sic delivers unparalleled Red views and cuisine