

\$2.5 Million Pact In Suit Over Rape

A PERSONAL INJURY suit brought on behalf of a girl raped in a Bronx apartment building elevator was settled last week in a structured arrangement that will pay her \$2.5 million over her lifetime.

Shortly before jury selection was to begin for trial before Acting Justice Jack Turret, the parties agreed on a structured settlement worth \$400,000 at present value and \$2.5 million over the lifetime of Latisha Foust, the 11-year-old who was attacked on the afternoon of July 2, 1986.

The suit accused the building owner, River Park Towers, a high-rise apartment complex on the banks of the Harlem River, and its managing agent, R.Y. Management Inc., with inadequate control of master keys that controlled the building elevators and inadequate security.

According to the claims filed, Latisha was riding the elevator to her apartment on the 37th floor of the building when three youths entered and used a duplicate of the elevator passkey to send the elevator to the basement where they dragged the girl with them to an adjoining building in the complex and into another elevator. They used the key again to send the elevator to a top floor and jam it while they raped and sodomized her.

The girl and her mother, Othella Foust, were represented by Alan Jay Binger, Kenneth A. Wilhelm, Martin Garfield and Joel Schmelkin. Jules J. Ravo of Reardon & Scialani in Bronxville.