


Man Rescued During September Floods Looks To Sue Rescuers

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BROOMFIELD, Colo. (CBS4) – A Broomfield man who was saved in a dramatic rescue last September during Colorado’s historic flooding has filed papers indicating he may sue his rescuers.

Roy Ortiz says crews didn’t realize he was trapped in his upside down car on the morning of Sept. 12 after heavy rain washed out a road close to the intersection of Highway 287 and Dillon Road in Lafayette.

“I started yelling again and I started making noise to let them know, those people, that I’m alive,” Ortiz said.

PHOTO GALLERY: Images Of The Dramatic Rescue Efforts

He claims officials ignored pleas from his wife and brother to help. He had jumped into the back seat of his 2003 Pontiac in an attempt to keep himself alive. Two hours later, help finally reached him.

Six months after the rescue, Ortiz has reluctantly filed a notice of intent to sue his rescuers and other authorities. He says he needs help paying medical bills.

His legal papers claim the washed out road should have been closed, or at least marked during the rains. This could have prevented the accident from happening. Two others were also rescued at the scene.

His attorney says the filing was made to preserve Roy Ortiz’s rights.

“It’s unfortunate to have to try and cast liability and responsibility for this act of God on the men and women who risked their own lives,” said Ed Ferszt.

But authorities at the North Metro Fire Department are happy they were able to rescue Ortiz.

Spokeswoman Sara Farris said they “certainly sympathize with what Mr. Ortiz had to go through.”

“I’m sure it was a traumatic experience for him,” she said. “Ultimately, we were just very grateful we were able to save his life that day.”

Ortiz said he has suffered a total of \$500,000 in damages.

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- Written for CBSDenver.com by Makenzie O’Keefe



Rock Creek flooding washes out Dillon Road on Sept. 12, 2013. (credit: CBS)