

SUIT: One jury could decide both cases

► From Page 1C

company was negligent. The Downard family has filed a wrongful death suit. Court records show that Alabama Power has denied liability.

Currently, the Webb case is before Booaker and the Downard case is before Circuit Judge Jack Carl. If Booaker consolidates the cases for trial, he could hear both.

Booaker, however, set next Aug. 19 as the trial date for the Webb case. If he agrees to try the cases together, the Downard case will also be tried then.

Downard lawyer David Marsh said outside court that the area where the boys played had been frequented by children for years. He said the creek runs parallel to residents' backyards and there are well-worn trails in the area.

"It's a stone's throw from these children's homes. You can see homes, playgrounds, swing sets" along the creek, Marsh said. "It is where you would expect little boys to be."

Ms. Minor declined to comment.

Webb lawyer David Cromwell Johnson said late Tuesday that 4-year-old William has had five surgeries since the accident, including the amputation of his feet and skin grafts.

The boy, who suffered burns all over his body, is currently at Children's Hospital recovering from an operation where doctors closed a hole in his head.