



Burned worker blames businesses

Injured in explosion at pot production facility

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A worker burned in an explosion at Higher Level Concentrates in Astoria in October has filed a lawsuit seeking \$8.9 million in damages.

Several local property and business owners have been named as defendants in a lawsuit brought by a worker burned in the October explosion and fire at Higher Level Concentrates in Astoria.

Jacob Magley, who was working at Higher Level when an explosion scorched the commercial marijuana production facility, filed suit late last month in Multnomah County Circuit Court against three people and 11 businesses for violations of fire protection and workplace safety laws. The suit seeks more than \$8.9 million in damages.

The list of defendants named by Magley's attorney, Jonah Flynn, starts with William "Chris" West and Jason Oei, along with their companies High Tide Biological, Higher Level Concentrates and Astoria Trading Co.

Playing with fire

The suit claims Oei was dabbing — inhaling the smoke from butane hash oil pressed against a heated surface — while West was using an open extraction process to make oil. "This created a source of ignition, causing the (liquid petroleum) gas vapors emitted from the (Whip-It!) canisters used by West during the extraction process to ignite and explode."

Oei could not immediately be reached for comment.

Magley suffered burns to more than 20 percent of his body, spent a month at the Legacy Oregon Burn Center in Portland and has been undergoing outpatient rehabilitation and physical therapy.

The suit claims Higher Level's production space violated multiple fire-protection and workplace-safety laws through the lack of an automatic sprinkler, fire and smoke alarms, liquefied petroleum gas detectors, adequate venting, an explosion suppression system, signed exits, suitable fire control devices, emergency lighting and a safety shower.

Magley's lawyers issued written notices about the lawsuit to all the defendants last week.

The fire and explosion are still under investigation by the Astoria Police Department, the Oregon State Police and the Clatsop County District Attorney's Office. District Attorney Josh Marquis said he wants to contact the attorney for Magley and incorporate information from the case into the investigation.

Many defendants

Oei and West leased the production space at the corner of Industry and Portway streets from building owner Richard Delphia, who is being sued along with his companies Dick & John LLC, Dick's LTD, Dirick Properties, D&D Gas Inc. and Delphia Enterprises Inc. Subleasing an upstairs storefront from Oei and West was Sweet Relief Astoria, named as another defendant.

Also named as defendants were Under the Bridge Cigarettes in Astoria and UTB Investments, both companies run by regional cigarette and marijuana store financier John Harper. The suit claims Harper's companies helped finance the buildout of Higher Level Concentrates and sold the unodorized, and thus defective, gas used in the THC extraction process that built up and exploded upon ignition.

"Sweet Relief Astoria, the Harper Defendants and Delphia Defendants were aware that the Astoria Trading Defendants were using an unreasonably dangerous process for cannabis extraction," the suit says. "Plaintiff had no knowledge of the unreasonably dangerous condition and unreasonable risk of harm to which he was being subjected while he was present at the" building in October."

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