

Aria guests sue after acquiring Legionnaire's disease

By [Steve Green \(contact\)](#)

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Six guests of the Aria hotel in Las Vegas sued the property and its builder Tuesday, charging they acquired Legionnaire's disease there and then endured pain and suffering and incurred hefty medical bills while recovering.

[Aria said July 14](#) it was contacting guests who may have stayed at the property from June 21 to July 4 to alert them about elevated levels of Legionella bacteria in several guest rooms during that period.

Health officials last month said six cases of Legionnaire's disease had been reported.

The six cases referenced in news stories last month didn't necessarily involve the plaintiffs who filed suit Tuesday, as some of Tuesday's plaintiffs said they stayed at the property in April and on June 8.

Aria has said the Legionella bacteria that causes the disease is a concern for all large buildings and that Aria has a comprehensive water management and testing program—a program that as of mid-July found no detectible level of active Legionella bacteria.

Tuesday's suit alleged the plaintiffs, who live around the country, acquired the potentially deadly form of pneumonia because of negligent design and installation of water systems and failures on the part of Aria to inspect, repair and maintain its heating, hot water, ventilation, hot tub and air conditioning systems.

Among the defendants are CityCenter, where Aria is the centerpiece casino resort that opened in December 2009; CityCenter developer and half owner MGM Resorts International and CityCenter's general contractor Tutor Perini Corp.

In a statement about the federal lawsuit Tuesday, MGM Resorts said: "While it is our policy to not comment on litigation, we have been very careful to communicate with each of our guests and reimburse them fairly for any legitimate medical expenses. We intend to vigorously defend ourselves."

In its [letter to guests last month](#), Aria noted Legionnaire's "usually occurs when someone who is susceptible receives direct concentrated exposure to the bacteria when breathed in as a mist or vapor."

This was highlighted in Tuesday's lawsuit, in which some of the plaintiffs said they used showers, faucets and other water systems.

"The water was, at the time, heated, causing the water to steam, vaporize and otherwise become aerosolized, allowing it to be inhaled and ingested by" the plaintiffs, the suit said.

The damages sought – including punitive damages -- are \$1.5 million for each of the 225 counts in the complaint. Attorneys for MGM Resorts are likely to challenge those damage numbers.

The suit includes numerous "loss of consortium counts," charging some of the plaintiffs and their spouses were "deprived of the joys and benefits" of their marital relationship while they were hospitalized or sick at home.