

Wis. Man Pleads Guilty In Meatpacking Plant Fire

DINESH RAMDE Associated Press Writer - August 25, 2009

MILWAUKEE (AP) — One of two brothers accused of starting a \$50 million fire at a Milwaukee-area meatpacking plant pleaded guilty Monday to reckless endangerment, and his brother is likely to plead guilty to charges next week, the brother's attorney said.

Joshua J. Popp, 23, pleaded guilty to one count of second-degree recklessly endangering safety in an agreement with prosecutors in which he will serve three years of probation, a period of community service and be subject to other conditions left to the discretion of the court, said Popp's attorney, Steven McGaver.

"My client is extremely remorseful and contrite about what happened," he said. "Obviously it's something he never intended in a million years."

The charge carries a maximum penalty of 10 years in prison and a \$25,000 fine, and the court could impose jail time as a condition of probation, McGaver said. Popp is scheduled to be sentenced Oct. 8.

Assistant district attorney Kent Lovern said he was satisfied that the case was charged and resolved as a felony.

"I'm satisfied that the recommendation is appropriate, and that Joshua Popp is accepting responsibility for what happened," Lovern said.

Kurtis J. Popp, 25, fired a flare July 5 given to him by his brother, who had taken it while serving in the Marines Corps, according to prosecutors. The flare landed on a roof at the Patrick Cudahy Inc. meatpacking plant in Cudahy. Four buildings were destroyed and thousands of residents were temporarily evacuated.

Neither of the men saw where the flare landed, and neither came forward even after investigators disclosed that a military flare had caused the fire, the criminal complaint says.

Kurtis Popp faces the same charge his brother did, but his attorney Julius Kim said his client should face a lesser charge because he didn't fully understand the power of military flares.

"The police report suggests that when he shot it in the air, he thought it would just be a giant firework in the sky," Kim said. "Clearly he didn't know exactly how the flare was going to operate."

Kim said "it's more likely than not" that his client will enter a guilty plea at a Sept. 1

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hearing. He declined to comment on the status of his discussions with prosecutors, saying he didn't want to jeopardize ongoing negotiations.

Company officials didn't immediately return messages left Monday morning.

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