

MISSOURI LAWYERS WEEKLY

September 13, 2004

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VERDICTS & SETTLEMENTS

Siblings Killed In Construction Zone Accident

18-Wheeler Rear-Ended Their Car



TIM DOLLAR

\$9.5 Million Settlement

The mother of a 21-year-old and a 17-year-old who were killed in a construction zone accident sued for wrongful death.

On June 30, 2002, the two siblings were stopped in a construction zone on Interstate 80 in Grand Island, Neb., after they were involved in a fender-bender. An 18-wheel tanker truck then rear-ended their vehicle. The siblings survived impact but died in a subsequent fire.

The mother sued the truck driver and his employer in Jackson County, since the tanker company was a Missouri company. She claimed the driver was negligent in that, among other things, he ignored warnings of lane drop in the construction zone.

The parties settled before trial for \$9.5 million — \$4.75 million for each fatality — and dismissed with prejudice the third-party claim against the sibling who was driving the vehicle.

Type of Action: Automobile accident

Type of Injuries: Two deaths

Court/Case No./Date: Jackson County Circuit Court/not disclosed/Aug. 17, 2004

Caption: Doe v. ABC Trucking Company

Judge, Jury or ADR: Jury

Name of Judge: Marco Roldan

Special Damages: None

Verdict or Settlement: \$9.5 million settlement

Allocation of Fault: N/A

Last Offer: N/A

Last Demand: N/A

Attorney for Plaintiff: Tim Dollar, Kansas City

Insurance Carrier: Not disclosed

Plaintiff's Experts: Ken Baker, Chicago (accident reconstructionist)

Defendant's Experts: None

