

## Traffic fatality leads to \$10 million settlement

By: David Donovan    October 19, 2012

Attorneys for Twiggs, Strickland and Rabenau report that they have secured a confidential \$10 million settlement against a dump truck driver and his employer for a crash that caused the death of a 35-year-old mother of four.

According to information submitted by the firm, a Mack truck drove into an intersection against a red light and crashed into the victim's minivan, crushing the driver's side of the vehicle. The victim's four minor children were riding in the van and suffered injuries, but all survived.

The victim's attorneys alleged that the driver's employer gave its drivers incentives to complete as many trips as possible in a day. The company, which had been warned by local police for months about its trucks being driven at an unsafe speed, gave them assurances that any employee driving unsafely would be fired. But the driver who caused the crash, attorneys say, had received multiple citations before the crash but was not disciplined by the company.

The victim's family had alleged negligence and gross negligence against the driver and the company, and made claims for punitive damages and for the emotional and mental suffering of the children on board.

Don Strickland, Karen Rabenau and Jesse Rigsby of Twiggs, Strickland and Rabenau in Raleigh represented the plaintiff, as did Andrew Leeper of Leeper & Associates in Orlando, Fla. The identities of the attorneys for the defendants were withheld due to a confidentiality agreement.

Robert Beason of Beason & Ellis Conflict Resolution in Durham acted as mediator. The settlement was reached in July, and attorneys for the plaintiff say they have been successful in collecting the judgment.