

CRAIN'S DETROIT BUSINESS

FOCUS: LAW

VERDICT: Truck negligence

March 1, 2009

A wrongful death lawsuit in Wayne County Circuit Court resulted in a \$3.9 million settlement against the driver and a Utica construction supply company. Patrick Nunez was traveling in the fast lane on I-75 in Detroit when a fully loaded, 150,000-pound gravel truck driven by Charles Dreyer blew a front tire and collided with Nunez' car.

The car smashed into the retainer wall and burst into flames. Nunez was killed. Since a tire blowout is considered a common and foreseeable event, trucks are not supposed to dangerously lose control when that happens. Evidence gathered for the lawsuit showed that Dreyer's truck was in defective, out-of-service mechanical condition. Dreyer said in a deposition that he'd received no formal training or supervision and had failed to inspect the truck's tires and brakes. Dreyer also was on epilepsy medicine for a seizure disorder, and the medication causes drowsiness and delayed reaction time. Due to the truck driver's negligence, the case settled for \$3.9 million on Sept. 25, 2008.

- **Venue:** Wayne County Circuit Court, Judge Gershwin Drain
- **Filed:** 2007
- **Plaintiff:** Estate of Patrick Nunez
- **Lead attorney:** Steven Gursten; Michigan Auto Law, Southfield
- **Defendant:** Utica Transit Mix & Supply Co. Inc.; truck driver Charles Dreyer.
- **Lead attorney:** Thomas Cardelli; Cardelli, Hebert & Lanfear P.C., Royal Oak.