

The Macomb Daily

Man run over by friend awarded millions

Hunting buddy hurled man into wall with pickup

By Jameson Cook Macomb Daily Staff Writer

Aug. 24, 2008

Tony Broeren of Bruce Township said he has forgiven his friend who drove over and nearly killed him but couldn't let the forgiveness stop him from filing a lawsuit.

"I know it was an accident, but there are consequences," Broeren said.

Broeren, 48, and his wife, Lisa, were recently awarded \$5.6 million in a verdict by a Macomb County Circuit Court jury, in one of the largest awards in an automobile lawsuit in recent years in Macomb.

The Broerens sued Roy Bates II, of Chesterfield Township, and his employer, Daimler Chrysler, which owned the Dodge Ram pickup truck he was driving when he accidentally stepped on the accelerator instead of the brake outside a hunting cabin near Evart, Mich.

Broeren suffered several lifealtering injuries, including a "slight traumatic brain injury," severe leg injuries, broken jaw, separated shoulder, and broken bone in his back, among others.

Although the verdict was issued against Bates – Chrysler had been removed as a named defendant – Chrysler remains financially responsible for the award, according to Broeren's attorney, Steve [Gursten](#).

Broeren, a former electro-mechanical engineer, said he and his wife are satisfied with the outcome of the case.

"It (the verdict) gave us a sense of relief, 'OK, it's over,'" Broeren said. "It gives us some justification for everything we've gone through. It's been a pain (financially) because we have to get by month by month."

After the trial ended, Broeren and Bates shook hands, but Bates still seemed "pretty shook up," Broeren said.

Bates did not return a telephone message left by The Macomb Daily.

The jury deliberated three hours before deciding to allot \$2.75 million for non-economic damages, \$1.88 million for economic damages and \$1.02 million for loss of consortium, following a seven-day trial in Macomb County Circuit Court in front of Judge Mary Chrzanowski.

"They (the Broerens) are wonderful people and they deserve this verdict. They earned it," [Gursten](#) said.

Appeal possible

But the Broerens realize the case isn't over as Chrysler, through Bates, could appeal the verdict and force the case to drag out another two years, although [Gursten](#) said he doesn't see

many potential topics for appeal.

“We thought this was it but found out they could appeal,” Broeren said. “We won the battle but the war isn’t over. It’s frustrating, but we’re going to keep going and hopefully will get it resolved.”

The attorney for Bates and Chrysler, William McCandless, did not return two telephone messages last week.

Because Chrysler did not agree with a recommended settlement figure of \$2.6 million, the Broerens will be able to collect legal fees and interest on the settlement since the lawsuit was filed, [Gursten](#) said.

Chrysler on the eve of trial offered \$1 million, but the Broerens turned it down, [Gursten](#) said.

Most of Broeren’s medical and treatment bills are paid through his auto insurance company, Progressive Insurance Co., which he also sued.

But the couple suffered extensive income loss and new expenses in their new lifestyle.

Horrific incident

The incident occurred in November 2006 at the cabin west of Clare that he and a group of five male friends purchased, dubbing it “The Stump Blasters Sportsmen Club.” The group was preparing to return home from a week of deer hunting.

After removing hunting blinds and tents on the 38-acre parcel, they planned to go into Evart or Clare to watch the football game between University of Michigan and Ohio State University.

But their plans took a severe turn.

Broeren was standing in the driveway as Bates backed up his Dodge Ram pickup truck. Instead of pressing the brake to park and exit, Bates hit the accelerator.

The vehicle struck Broeren, driving him head-first into the cabin and dragging him. Bates drove forward, and the truck dragged Broeren some more.

Sean Puzdrowski, 54, of Clinton Township, was standing next to Broeren. He said he and Broeren hadn’t realized Bates had pulled the truck near them and was surprised when he saw it pass by him, just missing him and striking his good friend and co-worker. Puzdrowski saw Broeren’s legs buckle and then get thrown into the cabin wall. “I’m yelling, ‘Get off him, he’s under the truck,’” Puzdrowski said. “There was blood everywhere. He was sprawled face first on the porch entrance. I knew it wasn’t good. I knew what his legs went through. “Everything happened so fast. It was a panic situation.” Puzdrowski ran to two neighbor’s houses about an acre or two away, and paramedics were called. Broeren was conscious and said he “must have been hit by a bus.” After the incident, Bates was inconsolable and in tears.

“He was so upset. He said, ‘How could I have done that? How stupid,’” he said.

Broeren said he cannot recall anything about the crash, only remembering waking up in the ambulance. He said he has been able to “piece together” some of the events prior to the crash.

Surgery after surgery

He has already undergone 11 surgeries and will have to have more. One knee was replaced and he will have surgery on the other knee in early September. He suffers from tinnitus (ringing in the ears), vertigo, side effects from the various pain pills and has gained 40 pounds because he cannot exercise.

The injuries have had a devastating impact on the Broerens’s way of life.

Tony Broeren likely can never work again and cannot enjoy most of the many activities he participated in.

“My days are going to therapy and doctors’ appointment,” he said.

He walks with the help of a four-prong cane, but moves slowly. Stairs are tedious.

He was a top engineer earning a good salary at Advanced Systems and Controls, a tier II auto supplier in Macomb Township. He graduated from Lawrence Technological University after moving from Wisconsin to the Detroit area for a job.

Puzdrowski, who worked with Broeren, said he was a key employee who could answer difficult technical questions.

He was very active in Council 7018 of the Knights of Columbus, serving as a Grand Knight, and St. Clement of Rome Church in Romeo, and was an avid gardener and golfer.

As a Green Bay, Wis., native, growing up near Lambeau Field, he remains an avid Green Bay Packers football fan. He used to travel to Lambeau two or three times a year for regular season games and for all playoff games. But he hasn't returned since his injury, although he hopes maybe to go late this year or next year.

"I was a get-up-and-go kind of guy," he said. "(Now) my biggest problem is fatigue. I get worn out after an hour of doing anything." His wife of 17 years misses her old husband. "He was a quiet, strong macho kind of guy," she said. "He's more like a son now than a husband. I love him and depend on him. But he has to depend on me so much more.

"He was quite the handyman. He would do everything around the house. Now I have to hire out everything."

She said he also was a "computer wiz" but now operates a computer like most people do.

A registered nurse, Lisa Broeren had to quit her job at an Oakland County hospital due to having to care for her husband and had to suspend her effort to obtain a master's degree. She now works at St. John Macomb in Warren and hopes the verdict will allow her to resume her education.

Difficult memories

Broeren and Bates haven't really talked since the incident, but he hopes they can in the future. They have mutual friends, and Broeren wants to maintain a social life and visit with them, although he knows hunting is out of the question for the time being.

The six men had purchased the club about two years before the incident as they had gotten along well in prior hunting trips.

Four of them worked at Advanced Systems. Along with Broeren and Puzdrowski, Doug Zundel owns the business and his brother, Andy Zundel, is the purchasing agent. Other club members are Pat Markham and Bates, who is a cousin of the Zundels.

Puzdrowski visits Broeren and encourages him that he can return to work someday.

He said the others have returned to the club to hunt, but he hasn't due to the awful memories.

"The other guys go, but to this point I haven't wanted to go, with that kind of memory," he said.



Submitted photos
Tony Broeren sits in a chair to which he is often confined.



Tony Broeren shows the gash on his head from when the Dodge Ram pickup backed into him, throwing him into the side of a hunting cabin.