



\$4.6M for Fatal Accident

Sweeney v. Lordello: The estate of

a passenger killed when a limousine went out of control and hit a guardrail accepted \$4.6 million on Sept. 9 from the contractor that built the guardrail and the engineering company that designed it.

Patrick Sweeney, 34, of Pearl River, N.Y., was killed on Aug. 15, 2006, while in an Air Brook limousine. Driver Jose Lordello lost control on the New Jersey Turnpike and struck the guardrail. The suit alleges the guardrail was built too close to the roadway.

The settlement was reached with guardrail maker J. Fletcher Creamer & Son Inc. of Newark and designer DMJM Harris Engineering of New York. Creamer's carriers, Travelers Insurance Co. and CAN Insurance Co., will contribute \$3 million and \$1 million, respectively. DMJM Harris, which is self-insured, will contribute \$600,000, says the plaintiff's attorney, **Bruce Nagel** of **Nagel Rice** in Roseland. Creamer agreed to indemnify the New Jersey Turnpike Authority.

The settlement brings to \$7.5 million the total received by the estate. It settled with Air Brook Airport Services and Lordello in July for \$2.9 million, Nagel says. Claims against the supervising engineering company, Maitra Associates of Somerset, are scheduled for trial in Bergen County on Oct. 13.

Travelers' attorney, **Joseph D'Ambrosio** of **Ford Marrin Esposito Witmeyer & Gleser** in Upper Montclair, and DMJM's attorney, **Gary Potters** of **Potters & Della Pietra** in Fairfield, confirm the settlement amount. CAN's attorney, **Thomas Licata** of Malapero & Prisco in New York, did not return a call.

— *By Michael Booth*