

## Family of pedestrian dragged by truck settles lawsuit for \$2M

■ BY BILL CRESENZO



**Chris Hart**

The family of a pedestrian who died after he was hit by a commercial truck and then dragged hundreds of feet has settled a lawsuit against the driver's employer for \$2,000,000, the family's attorney reports.

Chris Hart of Columbia said that the driver was using a hand-held cell phone when he ran over the pedestrian in a crosswalk. The pedestrian became trapped under the truck

and was dragged before another driver drove up beside the at-fault driver and blasted his horn to alert him that he was dragging the pedestrian. The driver told law enforcement that he hadn't seen the pedestrian or realized that he had run over him, Hart said. The pedestrian's family contended that the driver was distracted by his cell phone and was using it in violation of the federal Motor Carrier Safety Act, but the driver and his company blamed the pedestrian, Hart said.

The settlement negotiations had two major turning points, Hart said. The first was when the law enforcement officer who investigated the incident said that he had never investigated a collision involving a vehicle and pedestrian. The officer had also taken a course regarding such collisions after the incident and failed it.

"This was very damaging testimony for the truck driver and trucking company because commercial motor vehicle collisions are not 'regular' accidents, and the lead law enforcement investigator was not aware of the very detailed process of post-accident investigations for commercial motor vehicles," Hart said.

The second turning point came after attorneys reviewed the driver's cell phone and social media posts.

"The truck driver's social media was loaded with 'selfies' taken while driving the commercial motor vehicle, which is prohibited by the MCSA," Hart said. "The cell phone records were the most damaging, as they revealed the truck driver was on the phone with the owner of the trucking company at the time our client was run over and dragged down the highway."

Hart said the records showed that the truck driver and the owner of the trucking company would talk for several hours every day and night while the trucker was on the road.

Due to a confidentiality agreement, other details about the settlement, including the names of the defendants and their attorneys, were unavailable.

### SETTLEMENT REPORT — PEDESTRIAN DEATH

**Amount:** \$2 million

**Injuries alleged:** Death

**Case name:** Confidential

**Court:** Confidential

**Date of settlement:** July 9

**Attorney for plaintiff:** Chris Hart of Columbia

**Attorney for defendant:** Withheld