

Settlement ends suit over early morning fatal crash

Tractor-trailer struck victim's SUV near casino

WRONGFUL DEATH

- **Venue:** U.S. District Court for the Eastern District of Missouri
- **Case Number/Date:** Confidential/Jan. 17, 2014
- **Judge:** John Ross
- **Plaintiff's expert:** Nathan Shigemura, New Berlin, Ill., (accident reconstruction)
- **Caption:** Confidential
- **Plaintiff's attorney:** Gary Burger, Cantor & Burger, St. Louis
- **Defendant's Attorney:** Confidential

BY ALAN SCHER ZAGIER
Special to Missouri Lawyers Media

The family of a 29-year-old Jefferson County man killed while driving home from the River City Casino after midnight settled a wrongful death claim against the other driver for \$5 million.

The settlement agreement keeps the names of both drivers as well as the de-

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Gary Burger, plaintiff's attorney



fense attorney confidential, said plaintiff's attorney Gary Burger of Cantor & Burger in St. Louis. He described the case as follows:

The victim was leaving the south St. Louis casino in the early morning of

June 15, 2013, when his SUV was hit by a tractor-trailer as he tried to turn left onto Broadway Avenue from River City Casino Boulevard. The SUV driver — who had a green light — was hit by a fully-loaded tractor-trailer traveling south on Broadway, Burger said. The truck driver also died.

A lawsuit was initially filed in St. Louis Circuit Court but transferred to federal court since the two sides had complete diversity of citizenship.

Burger said the SUV driver was a construction worker and single father raising a 4-year-old son. The agreement included a structured settlement to benefit the child.

“He was a fantastic father and had raised his child by himself since [the boy] was 3 weeks old,” Burger said.

The defense attorney confirmed the settlement details but declined further comment. **MD**