

Chicago Daily Law Bulletin®

Volume 163, No. 66

Serving Chicago's legal community for 162 years

Jury awards \$11.25M after crash kills mom

Double fatality occurred when second car turned in front of victim's auto

BY LAURAANN WOOD

Law Bulletin staff writer

A Winnebago County jury has awarded \$11.25 million to the family of a woman who died in a double-fatal car crash in 2015.

Chamicwa Black's estate sued Anderson Automotive Inc. in 2015, alleging one of its employees took an improper left turn causing a fatal collision in February of that year.

Black was traveling east on Guilford Road near Roxbury Road in Rockford when Anderson Auto employee Michael Freeman abruptly swerved his 2004 Mazda RX8 left in front of her 2001 Ford Taurus.

That caused a collision in the 33-year-old Black's lane. Freeman was pronounced dead at the scene, and Black was transported to OSF Saint Anthony Medical Center in Rockford where she later died.

"It was really kind of unusual why he suddenly, very abruptly turned into her lane," said Patrick A. Salvi, managing equity partner at Salvi, Schostok & Pritchard P.C. Salvi represented the Black family.

After Black's estate filed suit in the 17th Judicial Circuit, Salvi said, it began filing motions requesting Anderson Auto to admit such factors as bad weather or a



Patrick A. Salvi

medical emergency weren't at play in the incident.

"No animal darted out, there was no weather ... no trouble with the roadway, no deer darting out," Salvi said. "We went through every possible conceivable excuse other than the only thing you're left with, which is negligence."

Anderson Auto admitted negligence about a year into litigation. Harvey A. Paulsen, a partner at Paulsen, Malec & Malartsik Ltd. in Wheaton who represented the company, said taking such a step seemed right in the absence of a known reason for Freeman's swerve.

"We certainly investigated the circumstances, but given the fact that he had crossed the center line with no indication of an excuse like an animal running out in front of him, a pedestrian or a pothole ... we felt like admitting liability was appropriate," Paulsen said.

Salvi said the parties tried to mediate the damages question be-



Patrick A. Salvi II

fore attorney H. Case Ellis in Crystal Lake about two weeks before trial.

Salvi said Anderson offered \$1.75 million during that meeting, and grew to \$2 million during the trial.

After a six-day trial before 17th Judicial Circuit Judge J. Edward Prochaska in Rockford, the jury awarded Black's estate \$8 million for her only son Jaquan's past and future loss of society; \$3 million for his past and future grief, sorrow and mental suffering; and \$250,000 for any psychiatric treatment he may seek in the future.

Although 10-year-old Jaquan may not understand the magnitude and significance of the jury's award with the case, Salvi said, his grandmother who serves as his guardian is "very happy" with the award.

"Now she knows that Jaquan will be taken care of for the rest of his life," he said. "It won't replace



Eirene N. Salvi

his mom, but it least it will take care of the financial burden."

Paulsen said his client has always recognized the tragedy of the incident and how close Black was with her son. He said his client doesn't anticipate filing any post-trial motions in the case.

"By all accounts these were wonderful people. Anderson Auto feels very badly about this," Paulsen said. "We accept responsibility. We accept the jury's award. We don't second-guess anybody."

Black's estate was also represented by Salvi Law partner Patrick A. Salvi II and associates Eirene N. Salvi and Aaron D. Boeder.

Anderson Auto was also represented by Paulsen, Malec & Malartsik senior associate William G. Nickol.

The case in the 17th Judicial Circuit Court is *Estate of Chamicwa Black v. Anderson Automotive Inc.*, 15 L 82.