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\$4.5M settlement for Wis. bus crash

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An Illinois man reached a \$4.5 million settlement for a school bus crash in southern Wisconsin, setting a new personal-injury record for Walworth County, Wis.

Harvard resident Matthew Ball sued school bus operator Dousman Transport Co. and one of its drivers, Melissa Haney, for a November 2016 collision which left him with long-term neurological problems.

While driving northbound on County Road K near Sharon, Wis., less than five miles past the Illinois-Wisconsin border, Ball collided with the empty school bus, which was blocking both lanes of the road executing a backup maneuver using a private driveway.

The accident occurred at 6:24 a.m. in wet and foggy conditions.

Haney stated the fog was so bad “she did not feel comfortable driving.”

According to the complaint, local authorities had previously told Haney it was not safe to make a three-point turn at the scene of the crash.

Security footage from inside the bus showed the bus blocked both lanes of the rural highway for 45 seconds.

“The problem wasn’t so much that she was driving in the fog, but that she did the reversal,” said Ball’s

attorney, Tara R. Devine of Salvi Schostok & Pritchard’s Waukegan office. “One of the things they stress in training to drive a bus is to avoid reversing it whenever possible. This is a good example of why they’re trained that way — you can’t see what’s behind it.”

Devine said the reversal was unnecessary because the driveway Haney used fed into a parking lot where the bus could be safely turned around.

Ball, who was driving under the posted speed limit, was unable to stop his vehicle in time to avoid the collision after he recognized the bus was blocking the northbound lane.

Ball sustained a closed head injury as well as a fractured clavicle, five broken ribs and a right lung contusion. He also suffered from hemopneumothorax — blood and air entering the chest cavity — which caused acute respiratory failure. Ball was hospitalized for nearly two weeks and had to undergo physical and occupational therapy.

According to Devine, the treatment cost about \$250,000, and he still needs regular appointments with a neurologist due to the brain injuries he sustained.

“Matthew has made a very good recovery,” Devine said. “Had he not been a young man in good physical shape, the results could have been worse, but he



Tara R. Devine



Patrick A. Salvi

still has suffered neurological deficits. He has lost some memory capacity and has a hard time with focus and attention, which he didn’t have before. He has also developed some issues with anger and impulse control since the accident.”

Devine said testimony from Ball’s doctor was key to proving causation between the crash and Ball’s neurological problems.

“Dousman’s experts did not talk about the actions of the driver,” Devine said. “There was an understanding that there was negligence on her fault, but they tried to prove that he was partially at fault, too, and the evidence was not there. He was not speeding, he was not running late, and he wasn’t distracted eating or on the phone while he was behind the wheel. He was just unable to stop by the time he observed the bus and reacted.”

The parties conducted two mediation sessions with mediator Michael Crooks of Madison-based von Briesen & Roper S.C.

Ball and Dousman reached the agreement in September, which was finalized on Dec. 28 before Walworth County Judge Daniel Johnson.

The \$4.5 million settlement is the largest personal injury settlement on record in Walworth County, Wis., according to the Salvi firm’s announcement.

Along with Devine, Ball was represented by Patrick A. Salvi and John A. Mennie.

The defendants were represented by Patrick Brennan and Kiley Zellner of Crivello & Carlson S.C. in Milwaukee. They did not return a request for comment.

This case in Wisconsin’s Walworth County Circuit Court is *Ball v. Dousman Transport Co. Inc., et al.*, 17 CV 738.