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Family gets \$4.2M after crash that killed teen

Settlement is record for wrongful death in Kendall County

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The family of a 13-year-old boy who was killed in a car crash in Yorkville settled wrongful death claims against the driver who allegedly caused the wreck and his employer for \$4.25 million, a record for Kendall County.

Joseph Burdiak, 13, was riding in the backseat of his father Michael's Chevrolet Traverse on Aug. 2, 2021. While out running errands, the pair was traveling eastbound on I-71 near Ravine Court in Yorkville.

According to the complaint, a Ford F-450 traveling in the opposite direction crossed the center line of the single-lane highway and scraped the left side of the Burdiak's vehicle. The impact

caused the Burdiak's car to spin out of control and hit a guardrail, the complaint alleged.

The Ford was owned by Upland Concrete, Inc. and driven by Christopher Martinez Santos, who was acting as an agent of Upland.

Burdiak was killed on impact, the complaint alleged, while his father was taken to an area hospital with injuries including three broken ribs. Santos was not injured in the crash, according to the complaint.

Burdiak's parents Michael and Tammy, as co-administrators of his estate, sued Upland Concrete and Santos on claims of negligence and wrongful death in Kendall County Circuit Court.

The parties reached a settlement agreement July 28. Judge Stephen L. Krentz presided. The case was mediated before retired Judge William E. Gomolinski of ADR Systems.

The settlement award is



Brian L. Salvi



Eirene N. Salvi

the highest Kendall County wrongful death settlement reported, according to the Jury Verdict Reporter. The prior highest reported Kendall County death settlement was \$2.8 million.

Burdiak's estate was represented by Brian L. Salvi and Eirene N. Salvi of Salvi, Schostok & Pritchard, P.C.

"To get this wrapped up within one year without putting the family through the heartache of a long drawn out litigation process, that was an important factor here," Brian Salvi said. "Ultimately

we are satisfied that we could do what we could for the family so that they wouldn't have the trauma of everything getting drawn out any further by litigation."

Upland Concrete and Santos were represented by Adam S. Kreuzer of Esp Kreuzer Cores LLP.

"The defendants are pleased that the plaintiffs' claims are resolved," Kreuzer said.

The case is Estate of Joseph Burdiak, et al. v. Upland Concrete, et al., No. 2021 L 000084.