

Marianne DeMarco

COMM 650

Assignment Three

Defenses, privileged communication, damages

Nominal damages - \$28 Million settlement reached in Big Death Lawsuit

This case involved a wrongful death lawsuit that was filed by the family of a deceased woman who was killed when part of a tunnel collapsed on her car. The lawsuit was filed against the construction company who was working on this large highway project. The article states that in the settlement, "the companies do not admit to liability in the settlement." However, the plaintiffs have a report from the National Transportation Safety Board that states that the wrong type of epoxy was used, which is why 26 tons of concrete ceiling panels collapsed and fell on Ms. Del Valle's car. Ultimately the victim's husband's goal was to prevent future accidents, such as his, from occurring. In January several of the companies that were involved in the lawsuit reached a \$458 settlement with the state to avoid criminal charges.

Reference - <http://www.foxnews.com/wires/2008Sep30/0,4670,BigDigSettlement,00.html>