



# VERDICTSEARCH

## TEXAS

### DENTON COUNTY

#### MOTOR VEHICLE

##### Wrongful Death — Head-On — Speeding

## Two killed when man collided head-on with another car

**SETTLEMENT**    **\$2,500,000**

**CASE**    Josie Rivera, as next of friend of minors, Christopher and Ariel Rivera; Jennifer Rivera and Stephanie Rivera, Individually and as representatives of the Estate of David Rivera, deceased Plaintiff vs. The Estate of Ronald Lee Jensen, Defendant, No. 2006-60180-393

**COURT**    Denton County District Court, 393rd, TX

**DATE**    7/12/2006

#### PLAINTIFF

**ATTORNEY(S)**    Frank Lyle, Springer & Lyle, L.L.P., Denton, TX  
 Jeff Springer, Springer & Lyle, L.L.P., Denton, TX

#### DEFENSE

**ATTORNEY(S)**    Joseph E. Byrne, Byrne, Cardenas, Mead & Smitherman, Dallas, TX  
 Margaret Mead Byrne, Byrne, Cardenas, Mead & Smitherman

**FACTS & ALLEGATIONS** At 5:12 a.m. on Sept. 2, 2005, plaintiff's decedent David Rivera, a 40-year-old plant manager, was driving his sedan east on State Highway 114 in Irving. At the same time, Ronald Lee Jensen, 74, was driving his sedan west on the same road. He lost control of his car, crossed a grass median and hit Rivera's car head-on. Both men were killed.

Rivera's family sued, claiming wrongful death and vehicular negligence.

Plaintiff's counsel argued that Jensen tried to pass a car ahead of him and his car clipped that car, which caused him to lose control of the vehicle. Counsel maintained that Jensen had been speeding.

#### INJURIES/DAMAGES *death*

Plaintiff's counsel argued that Rivera was very close to his four children. Moreover, counsel said that while he was divorced from plaintiff Josie Rivera, they were in the process of reconciling. Attorneys presented as evidence cards and letters that his children had given their father, as well as pictures from family functions.

**RESULT** The parties settled, with the defendant paying the family \$2,500,000.

**INSURER(S)**    Hartford Estate of Ronald Lee Jensen (Deceased)

**PLAINTIFF EXPERT(S)**    Gary H. Wimbish, Ph.D., drug toxicology, Milford, TX

**DEFENSE EXPERT(S)**    None reported

**EDITOR'S NOTE** Defense counsel did not respond to a faxed draft of this report or a phone call.

—William Cresenzo