



CLIFFORD LAW OFFICES®

A HISTORY OF SIGNIFICANT
ACHIEVEMENTS IN TRUCKING LITIGATION

“You come to realize that your clients rely on you for your expertise and help in the litigation process while they try to heal and keep their families together emotionally, spiritually, and physically. That is a large responsibility.”

— Robert A. Clifford



CLIFFORD LAW OFFICES®

MORE THAN 100 YEARS OF COMBINED
TRUCKING LITIGATION EXPERIENCE

1994

\$4.8 MILLION SETTLEMENT

A male plaintiff died several days after he was run over by a FedEx truck as he was crossing an internal road by McCormick Place in Chicago, Illinois.

1996

\$3.21 MILLION SETTLEMENT

A 30-year-old female passenger was struck by a truck when the driver of her vehicle failed to obey a traffic control signal. The plaintiff suffered a traumatic brain injury, rendering her a spastic quadriplegic.

1998

\$6 MILLION VERDICT

A six-year-old boy, while riding his bike, was struck and killed by a garbage truck that was not equipped with proper side and back mirrors.

\$7.5 MILLION VERDICT

A 49-year-old male was left with significant brain damage and numbness to his lower extremities after he was rear-ended by an intoxicated driver driving a commercial van. The plaintiff's wife, who was a passenger, suffered a fatal head injury. At the time, this was the largest verdict in South Dakota.

2000

\$2.75 MILLION SETTLEMENT

A 52-year-old female sustained injuries and chronic pain after she was rear-ended by a commercial truck while sitting in her car on the shoulder of the expressway.

2001

\$1.15 MILLION SETTLEMENT

A 26-year-old female passenger was fatally injured when the vehicle she was in hit the median wall on an expressway and

spun out, coming to a stop in the right lane. After both occupants exited the vehicle to check for damages, a truck rounded a curve and struck the disabled vehicle.

\$7 MILLION SETTLEMENT

The plaintiff suffered a closed head injury and two minor children suffered injuries when the car they were riding in was struck by a semi-tractor trailer unit that jackknifed.

2002

\$1 MILLION SETTLEMENT

A 42-year-old woman was killed when her car was struck by a semi-tractor trailer making an improper right turn.

\$1.4 MILLION SETTLEMENT

A 50-year-old female suffered fatal injuries when she was hit by a semi-truck while crossing an intersection in Chicago, Illinois.

2003

\$1 MILLION SETTLEMENT

A 37-year-old woman suffered a broken leg when she was struck by a truck while crossing the street in Chicago, Illinois.

2004

\$2.47 MILLION SETTLEMENT

A 62-year-old pedestrian was struck and killed when he was hit by a U.S. Postal Service truck.

\$38.3 MILLION VERDICT

A mother and her two children were involved in a devastating truck-car collision on Interstate 90. The mother and one child survived. At the time, this was the largest verdict in Illinois that year involving a motor vehicle crash and was featured as one of the Top 100 Verdicts in the National Law Journal in 2005.

2005

\$1.65 MILLION SETTLEMENT

A 26-year-old man was killed on a Chicago expressway when he was stopped behind a jackknifed truck and then rear-ended by another truck forcing him into the jackknifed truck.

\$3 MILLION SETTLEMENT

A mother was struck and killed in a head-on collision when a pickup truck crossed the centerline on a Chicago expressway.

\$2.2 MILLION SETTLEMENT

A 61-year-old male sustained multiple injuries when he was

turning left into a business driveway and his car was struck by a truck, which allegedly, had run a red light.

2006

\$2.25 MILLION SETTLEMENT

A young mother of two was killed in Indiana when her car was struck by a truck whose driver lost control of his vehicle.

2008

\$9.05 MILLION SETTLEMENT

A married couple was killed while driving north on Interstate 55 when a van, heading in the opposite direction, crossed the road and struck them head-on.

2010

\$1 MILLION SETTLEMENT

A 67-year-old married man was killed when a speeding, overweight semi-tractor trailer rig struck his vehicle.

2012

\$1 MILLION SETTLEMENT

A 52-year-old man died when his truck exploded after being hit by a semi-trailer that veered off the road while he was stopped on the shoulder of an interstate highway.

\$1 MILLION SETTLEMENT

A 21-year-old man was killed when the mini-van he was driving was struck by a semi-tractor trailer combination near Milwaukee, Wisconsin.

\$5 MILLION SETTLEMENT

A 73-year-old male bicyclist suffered right leg injuries that resulted in a below-the-knee amputation when he entered a crosswalk and was struck and dragged by a truck making a right-hand turn. At the time of the settlement, this was the highest Illinois leg amputation settlement reported for a male plaintiff over the age of 60.

2013

\$3.75 MILLION SETTLEMENT

A 29-year-old suffered multiple injuries after he was struck by a semi-tractor trailer while riding a bicycle in a construction zone.

\$3.9 MILLION SETTLEMENT

A 40-year-old female suffered multiple fractures after her SUV was cut off by a semi-truck on Route 59 in Will County, Illinois.

\$4.1 MILLION SETTLEMENT

A 61-year-old female suffered an intracranial hemorrhage with mild cognitive deficits, an orbital fracture and other head trauma, plus a fractured clavicle and broken ribs after she was struck by a garbage truck while crossing a street in Chicago.

\$5.75 MILLION SETTLEMENT

A 35-year-old man was left wheelchair bound after being struck by a commercial truck while crossing a street near O'Hare International Airport.

2014

\$1 MILLION SETTLEMENT

An 87-year-old woman sustained cervical injuries and eventually died after a truck made a left-hand turn in front of the car she was riding in.

\$11 MILLION SETTLEMENT

A 55-year-old man sustained head injuries that caused permanent cognitive and neurological impairments, along with extensive burns, after his car was rear-ended by a tractor-trailer truck and burst into flames.

2015

\$1.05 MILLION SETTLEMENT

A 28-year-old woman was ejected from her car and sustained serious back injuries when she was rear-ended by a semi-tractor trailer truck in downstate Illinois.

\$3.7 MILLION SETTLEMENT

A 72-year-old female suffered pelvic, femur and ankle fractures in addition to a large degloving injury on her thigh when she was hit by an emergency vehicle that had collided with an AT&T SUV that allegedly failed to yield.

\$4 MILLION SETTLEMENT

A 60-year-old woman was killed when her vehicle was struck from behind by a tractor-trailer truck on I-80. At the time of the settlement, this case represented a record in Will County for the wrongful death of a woman over 60 years of age.

\$7 MILLION SETTLEMENT

A 29-year-old construction worker, husband, and father of two minor children was killed by a semi-tractor trailer in a construction zone in rural Tennessee. At the time, this settlement was believed to be a record for the wrongful death of a young father in that jurisdiction.

\$20 MILLION SETTLEMENT

A 47-year-old man sustained fractures and internal injuries, leaving him permanently disabled when a tanker truck, carrying hazardous materials, t-boned his vehicle.

2016

\$5 MILLION VERDICT

A college student suffered several injuries including a traumatic brain injury when a semi-truck and trailer, traveling at an excessive speed, t-boned the plaintiff's vehicle on I-65.

\$22.7 MILLION VERDICT

A 31-year-old man was killed when a speeding truck driver, with drugs in his system, rear-ended him in a construction zone. At the time, this was the largest wrongful death verdict in Cook County, Illinois in more than a decade.

2017

\$2 MILLION SETTLEMENT

A 64-year-old male suffered severe chest, facial, and closed head injuries, leaving him disabled when a semi-tractor truck failed to stop at a stop sign before making a left turn and collided with his vehicle.

2018

\$2 MILLION SETTLEMENT

A female plaintiff was injured when her vehicle was struck by a FedEx truck pulling out of a parking lot as she attempted a lawful right-hand turn. She suffered a cervical myelopathy, traumatic brain injury and Post Traumatic Stress Disorder (PTSD).

\$35 MILLION SETTLEMENT

A 22-year-old woman was severely injured after a truck ran over her at a Chicago street corner and dragged her for 60 feet. At the time, this settlement was the highest Illinois pedestrian settlement reported.

\$3.75 MILLION SETTLEMENT

A 23-year-old female bicyclist, in a shared lane, was struck and killed by a truck turning right in Chicago, Illinois.

2019

\$2.6 MILLION SETTLEMENT

A 77-year-old female died after the vehicle in which she was a passenger was struck by a semi-trailer truck.

\$3.5 MILLION SETTLEMENT

A 13-year-old boy, who was riding his bike on the sidewalk, was struck and killed by a truck making a right-hand turn when entering a crosswalk near a road construction site.

\$4.2 MILLION SETTLEMENT

A 34-year-old husband and father of two was killed when his vehicle was struck by a semi-tractor trailer that veered across a highway median strip. The settlement amount included payment of the trucking company's maximum insurance coverage as well as corporate funds.

2020

\$1.5 MILLION SETTLEMENT

A 68-year-old man was hit dead-on when a J.B. Hunt tractor uncontrollably crossed the center median. The plaintiff sustained cervical injuries that did not require surgery and post-concussion syndrome. The defense admitted liability pre-trial.

\$2.4 MILLION SETTLEMENT

A 24-year-old was rear-ended by a semi-truck. Investigation revealed that the driver of the semi-truck was under the influence of illegal methamphetamine. The plaintiff sustained back and shoulder injuries. The case settled for full policy limits.

\$3.6 MILLION SETTLEMENT

A 7-year-old boy suffered a head injury, rib fracture, and several lacerations when he was ejected from the back of an SUV when a semi-truck t-boned the vehicle in an intersection.

2021

\$18.15 MILLION VERDICT

A 17 year old sustained a traumatic brain injury and serious internal injuries that necessitated an airlift to Stroger Hospital when a truck driver, driving for a large trucking company and under the direction of a national shipper, lost control and crashed onto the shoulder of a highway, striking the teen. At the time of the crash, the plaintiff was lawfully on the shoulder of a highway determining if the brake lights and tail lights on his trailer were working. The plaintiff today requires a lifetime of future therapy and caretaking services.



PUBLIC POLICY CHANGES THAT HAVE LED TO A SAFER WORLD

◆ 1987 - CHICAGO HIGH-RISE FIRE

The case involving Nancy Clay, a 31-year-old woman who died of smoke inhalation in a Chicago high-rise when firefighters were unable to reach her, despite her many calls for help, raised the public's consciousness about two primary issues: the operation of the 911 system and the adequacy and effectiveness of the city's response to a high-rise fire. The case led to significant changes in Chicago's emergency response system.

◆ 1989 - UNITED FLIGHT 232

As a result of our litigation work involving United Airlines Flight 232, which crash-landed in Sioux City, Iowa, after suffering catastrophic failure of its tail-mounted engine, the FAA issued Airworthiness Directives, mandating inspections on the fan blades of the General Electric CF6 engine. Modifications of the hydraulic systems on the DC-10 were also required to prevent total loss of hydraulic power in the event of a similar incident. The crash also led to the addition of redundant safety systems in all future aircraft, and changed the way engine inspections are performed.

◆ 1994 - AMERICAN EAGLE FLIGHT 4184

The litigation involving the crash of American Eagle Flight 4184, which was bound from Indianapolis to O'Hare International Airport when it suddenly rolled and plunged to the ground near Roselawn, Indiana, led the National Transportation Safety Board to urge tighter regulations on flights by commuter aircraft in icing conditions.

◆ 1995 - METRA TRAIN ACCIDENT

Rachel Barton Pine was severely injured while exiting the Metra commuter train when the doors closed on the strap to her violin case, pinning her left shoulder to the train. The doors, which were controlled remotely and had no safety sensors, failed to reopen, and she was dragged 366 feet by the train before being pulled underneath and run over, severing one leg and mangling the other. After extensive litigation, the jury ruled in Pine's favor, prompting Metra to change its conductor safety procedures to include a "second look" - in which a conductor must allow all passengers to get on board, close all doors but his own and then take a second look before closing his own door.

◆ 2001 - 9/11 VICTIMS' COMPENSATION FUND

Robert A. Clifford served as liaison counsel for 9/11 property damage clients. Aside from the \$1.2 billion subrogation

settlements for a group of insurance companies, the real mark of that case is that he and his team were able to change the law on the federal court's subpoena power, which previously extended to only 100 miles from the court, to a national subpoena power. This change in the law allowed them to take the deposition of a key person - the ticket agent who let one of the terrorists through airport security - which was critical in demonstrating that checkpoint screenings at airports was decreasing while terrorism was on the rise. "I pretty much gave up my practice for the next year," Robert A. Clifford says. "We helped the Justice Department write the regulations for the 9/11 Victims' Compensation Fund, among other things."

◆ 2001 - UNITED AIRLINES FLIGHT 585 AND USAIR FLIGHT 427

The firm's litigation work involving the United Airlines Flight 585 crash in 1991 and the USAir Flight 427 crash in 1994 helped in obtaining a change in the rudder design of the 737 jetliners.

◆ 2002 - JOHN HANCOCK BUILDING SCAFFOLDING COLLAPSE

Clifford Law Offices represented victims and those who lost loved ones when high winds caused part of a 25-foot aluminum scaffold to fall from the forty-third floor of the John Hancock Center onto Chestnut Street, crushing three cars. As a result of the litigation, the city code regarding scaffolds was changed in July 2002. Prior to this tragedy, the city did not require permits for scaffolds, mandating only that they be "so constructed as to ensure the safety of persons working on or passing under or passing by the scaffold." The new code stipulated stronger requirements for scaffold design and construction and mandated training courses for those erecting and working on scaffolds.

◆ 2003 - COOK COUNTY GOVERNMENT HIGH-RISE BUILDING FIRE (69 WEST WASHINGTON)

In October of 2003, a fire broke out in a downtown Cook County government high-rise where six people who were trapped in a stairwell died of smoke inhalation. The families of the majority of those who died turned to Robert A. Clifford - and right away he started agitating for change. "Now the Chicago Fire Department has increased the physical fitness requirements for its firefighters, changed how they search for victims in a high-rise fire, increased staffing levels and what

equipment is brought to the scene of such fires, and improved the communications between firefighters inside the building and those outside," Clifford says. "All this has happened because of the criticisms we pelted the fire department with during the investigation." In addition, improvements were made to Chicago's 911 response system and stairwells are no longer locked in high-rise buildings during fires.

◆ 2003 - PORCH COLLAPSE CASE

A porch balcony gave way during a party, killing 13 people and injuring 57 others. Clifford Law Offices represented a number of those victims who were injured or the families of those who were killed and ultimately led to a tightening of Chicago ordinances and greater inspection of porches attached to buildings.

◆ 2019 - BOEING 737 MAX8

When the second Boeing 737 MAX8 airplane crashed shortly after takeoff less than five months after a similar crash in the Java Sea, Clifford Law Offices quickly moved to the forefront of the litigation. Representing families of 72 of the passengers killed in Ethiopia, Robert A. Clifford was appointed lead counsel in the consolidated litigation filed in federal district court in Illinois. The families bonded together as the aircraft was grounded worldwide. Determined to make future passengers aware of dangers that Boeing's culture of concealment had hidden from government officials as well as the public, families continued to press to keep the 737 MAX8 in the news until safety design changes were made. After 20 months, the longest grounding of a jetliner in the history of U.S. aviation, the plane was recertified to fly in the U.S., with the requirement of pilot training and mandatory changes to the aircraft. FAA Administrator Steve Dickson said the plane is "the most heavily scrutinized airplane in transport aircraft history." The crashes also forced the FAA to "reset" its relationship with Boeing and to collaborate more closely with other nations, Dickson said. Boeing's Chief Executive Officer who was replaced admitted many "hard lessons" were learned.



CLIFFORD LAW OFFICES®

120 North LaSalle Street, 36th Floor
Chicago, Illinois 60602

Telephone 312-899-9090 Fax 312-251-1160
www.CliffordLaw.com