suits & deals

School Bus Company To Pay $6 Million To Pedestrian Struck at Crosswalk

A woman who suffered severe injuries when hit by a school bus accepted $6 million on Feb. 21 to settle her Bergen County suit, *Poplawski v. Phipps*.

Sarah Poplawski was in a crosswalk on Nedellec Drive in Saddle Brook on Feb. 2, 2009, when the bus hit her and dragged her for 50 feet. The bus driver, Judy Phipps, gave police a videotaped, sworn statement that Poplawski ran in front of the bus. But during her deposition, Phipps conceded her initial statement was false and said she did not notice Poplawski before hitting her.

Poplawski, now 25, was a student and part-time retail worker at the time of the accident. She alleged to have suffered spinal fractures requiring a hip replacement, incontinence, respiratory failure, a degloving injury to her left foot, road rash and fluid build-ups in her hips and buttocks. She was unable to walk after the accident, but regained that ability after lengthy physical therapy, albeit with a limp, and she suffered post-traumatic stress disorder, depression and anxiety and has not returned to work or school, she alleged.

Poplawski, represented by **David Mazie** and **Eric Katz** of **Mazie, Slater, Katz & Freeman** in Roseland, sued Phipps and the bus's owner, Atlantic Express Transportation Co. of Staten Island. The defendants stipulated to liability but disputed the extent of the plaintiff's injuries, says Katz.

Atlantic Express agreed to pay $6 million on behalf of itself and Phipps after mediation with former Superior Court Judge **Daniel Mecca**, now with **Joseph Mecca**'s firm in Paramus. The defendants were represented by **Gregory Mueller**, of **Silverman, Sclar, Shin & Byrne** in Tenafly, who did not return a call.

— *By Charles Toutant*