

\$1.47M for Fatal Highway Accident

By **David Gialanella**

Martinez v. Barnwell House of Tires: The estate of a man killed in a multi-vehicle pileup on the New Jersey Turnpike settled with the last of five defendants on Jan. 2, bringing the total recovery to \$1.47 million.

According to plaintiffs attorney Beth Baldinger, before dawn on Dec. 24, 2010, a truck pulling a car-carrier trailer lost both of its tandem wheels from the right rear axle while travelling southbound on the eastern spur, in Ridgefield, N.J. One wheel struck a vehicle traveling in the middle lane, driven by Garbharan Amrit, who stopped. Amrit's vehicle was then struck by Francisco Martinez's. When Martinez

exited to assist, he was struck by another motorist, Peter Birdsall. Martinez, 40, was killed.

In the Bergen County suit, the estate named Amrit, Birdsall and three other parties: Cardo Ltd., the truck's owner-operator; Barnwell House of Tires, which had serviced the truck in the preceding months; and JTK Maintenance Inc., which had inspected and passed the truck two months before, according to Baldinger, of Mazie Slater Katz & Freeman in Roseland, N.J.

JTK was the last to settle, during a pretrial hearing, for \$200,000. Barnwell settled last month for \$625,000. The other three defendants settled earlier: Cardo, for

\$495,000; Birdsall, for \$100,000; and Amrit, for \$50,000, Baldinger said.

Michael Liloia, of Brian McGovern's Hackensack, N.J., firm, for Amrit, confirmed the settlement amounts for his client, Cardo and Birdsall.

John Mallon of Chasan Leyner & Lamparello in Secaucus, N.J., for Birdsall, declined comment.

Jerald Howarth of Howarth & Associates in Parsippany, N.J., for JTK; Michael Marone of McElroy Deutsch, Mulvaney & Carpenter in Morristown, N.J., for Barnwell; and Matthew Pisano of the Pisano Law Firm in Philadelphia, for Cardo, didn't return calls. ■