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\$6.25M deal given OK in fatal crash

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LAW BULLETIN STAFF WRITER

A federal judge Wednesday approved a \$6.25 million settlement in a lawsuit brought on behalf of the children of a Chicago-area man killed in a traffic accident.

The written order entered by U.S. District Judge Sharon Johnson Coleman calls for each of Carlos Garcia's five children to receive \$827,249.

Attorneys representing the special administrator of Garcia's estate in the wrongful-death suit will receive a little more than \$2 million in fees and \$30,420 in costs.

The lead attorneys for the administrator were Kenneth H. Levinson and John A. Stefani, who goes by Jay, both of Levinson & Stefani.

Garcia was killed when a wheel on a van owned and operated by Professional Transportation Inc. came off its axle and struck his vehicle as he was driving north on the I-294 toll road in Maine Township.

Garcia, a factory worker, was 38 when he died in March 2015.

Nayeli Delgado-Gutierrez, Garcia's life partner and the mother of his children, filed the wrongful-death suit in her role as the special administrator of Garcia's estate.

Levinson described Garcia as "a regular blue-collar, hard-working family man."

Garcia's oldest child is 8, while his youngest was born about three months after her father died, Levinson said.

"We feel just tremendous gratitude that we were able to help these small children," he said. "This is why we do what we do."

Levinson said Delgado-Gutierrez's legal team used economists and experts on tires and metallurgy to help build its negligence case against the defendants.

Defendants included Professional Transportation, which is headquartered in Evansville, Ind., and has an office in Chicago.

Other defendants were United Leasing LLC, an Evansville-based company that leased the van, and the van's driver, Randall L. Burrell.

Also named as a defendant was JB Seeboth LLC, which serviced and maintained the van. The company is based in Brookfield, Wis., and does business as Affordable Car and Marine Care.

The defendants did not acknowledge any liability by agreeing to the settlement.

Richard M. Waris of Pretzel & Stouffer Chtd., the lead attorney for JB Seeboth, could not be reached for comment.

The lead attorney for the other defendants was Kurt E. Olsen of Grant, Fanning & Olsen. He declined to comment.

Claims the defendants have brought against one another and other parties are still pending.

The case is *Nayeli Delgado-Gutierrez v. Professional Transportation Inc., et al.*, No. 15 C 7167.



Kenneth H. Levinson



John A. Stefani