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\$9.75M Awarded to NJ Turnpike Wreck Widow but Guardrail Safety Questionable

Posted by Paul Napoli
November 1, 2009 6:58 PM

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October 29, 2009

The New Jersey Turnpike Authority has not repaired a faulty guardrail, say attorneys for Kristin Sweeney who was awarded a \$9.75 million dollar settlement in the death of her husband.

Patrick Sweeney died in an April 2006 accident near Teaneck on the New Jersey Turnpike when driver of the limo he was riding in lost control of the vehicle and struck a guardrail, which pierced the passenger compartment of the vehicle and killed Sweeney.

Joe Orlando, spokesperson for the Turnpike Authority, contends the guardrail involved in the accident was built safely even though it was not built to the exact specifications of the design. It was constructed flush with the curb because of the terrain, but the design called for the guardrail to be six feet further from the roadway. Bruce Nagel and Andrew O'Connor, the attorneys for Kristin Sweeney, argued that her husband would be alive today if the guardrail was built to specification.

J. Fletcher Creamer, the Hackensack company contracted to build the guardrail, paid \$4 million on behalf of themselves and the New Jersey Turnpike Authority who accepted the guardrail even though it was not built according to the design plans. Maitra Associates of Somerset, the engineers hired to oversee the plans paid \$2.25 million. DM JM Harris, the firm that was the design engineer, paid \$600,000. Air Brook Limousine, which was transporting Patrick Sweeney when the limousine crashed into the guardrail, paid \$2.9 million.

The New Jersey Turnpike Authority acknowledged no liability and paid no money in the accident settlement. After the accident that killed Sweeney, the New Jersey Turnpike Authority rebuilt the guardrail in the same position as before the accident, still not building to original design specifications. "We believe it was safe before and we believe it is safe now," he Orlando. "We don't plan on going out there and changing it."

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