

IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT IN AND FOR MIAMI-
DADE COUNTY, FLORIDA
GENERAL JURISDICTION

CASE NO.: 05-22193 (CA 30)

DANIEL RAMOS and
FLOR RAMOS,

Plaintiffs,

vs.

C.W. ROBERTS CONTRACTING,
INCORPORATED, a Florida corporation,
BRUCE B. RIVERS, individually,

Defendants.

Illegal U-Turn in Front of Plaintiff's Vehicle: Side Collision Resulting in Fire: Failure To Turn Safely: Vicarious Liability: Negligence and Punitive Damages Claims --- Florida. Case resolved in October, 2006. On September 19, 2005, Daniel Ramos was a passenger in a 2001 Freightliner vehicle traveling eastbound on I-10 through Madison County, Florida. The vehicle was driven by his close friend and driving partner, Ramon Tielve. The two men were returning from a cross-country trucking run, hauling fruit from California to Florida, a run they had made several times before. As they traveled in the eastbound lanes of I-10 near an overpass in Madison County, Florida, suddenly, the vehicle ahead, a 1999 Mack Truck vehicle owned by Defendant, C.W. Roberts Contracting and driven by Defendant, Bruce B. Rivers, attempted to make an unauthorized U-turn from the emergency shoulder across the eastbound lanes of I-10 immediately in front of their vehicle, causing the Mack Truck to collide with their vehicle. During the crash sequence, Plaintiff's vehicle became engulfed in fire, resulting in the death of Ramon A. Tielve and serious injuries to Plaintiff, DANIEL RAMOS.

Investigation by the attorneys for Daniel Ramos revealed evidence that Rivers was in a hurry to deliver a super-heated load of asphalt to a job site prior to the asphalt cooling and thereby becoming unusable. Further investigation resulted in a punitive damages claim based on evidence discovered that: Rivers' haste may have resulted from pressure from his employer to drivers to get to job sites quickly; that C.W. Roberts may have violated state safety laws regarding allowable number of hours a driver may be on duty on ten occasions in the months preceding the accident; Rivers was taking a potentially dangerous prescription drug, Flexeril, on the date of the incident.

The parties settled before trial for a total amount of \$955,000.00 Dollars for release of Plaintiffs' claims. A consent judgment for an additional \$5,000,000.00 was also obtained.

Plaintiffs' Counsel -- Joseph P. D'Ambrosio of The Law Firm of Joseph P. D'Ambrosio, P.A., Boca Raton, Florida and Sean L. Wilson of The Law Firm of Sean L. Wilson P.A., Boca Raton, Florida.