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Jury awards \$8 million for accident that killed woman

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A Cook County jury awarded \$8 million to the family of a 36-year-old woman fatally struck by a tractor-trailer on Interstate 294 three years ago while she checked on a flat tire.

Stacey McHale was driving home after completing a shift as a waitress in Orland Park in 2010 when her car got a flat tire in the southbound lanes of I-294 near Midlothian.

McHale pulled over into the right shoulder and was hit by the truck while she stood outside the driver's side of her vehicle. She died instantly.

The jury delivered its verdict Friday against the truck driver, Russell A. Kleppe; his employer, Kiswani Trucking Inc.; and the company that subcontracted with Kiswani for trucking services, Transfreight LLC.

"She left behind a husband and two wonderful kids," said Matthew T. Jenkins, an associate at Corboy & Demetrio P.C. who represented McHale's husband, Steven McHale, in the wrongful-death suit.

"She was described by all as the world's most wonderful mother and the glue that held

the family together."

The lawsuit alleged in part that Kleppe, acting as an agent of Kiswani and Transfreight, failed to move to another lane while he approached McHale's disabled vehicle on the side of the road.

The driver and Kiswani admitted their negligence caused the death of McHale on the first day of trial, Jenkins said. As a result, the trial focused on whether Transfreight was also liable and what damages should be awarded.

Kleppe "was driving, doing runs for Transfreight in furtherance of Transfreight's agreement to move Toyota auto parts across the country," Jenkins said. "So the reason we alleged he was on the road that night was at Transfreight's direction to make sure those auto parts were moved."

The jury appeared to agree, Jenkins said.

"I think \$8 million is a significant verdict in a wrongful-death case, and in awarding \$8 million, the jury acknowledged what a profound loss the death of Stacey McHale was," Jenkins said.

Steven McHale has two children, a 12-year-old and a 16-year-old. Stacey McHale coached her daughter's soccer games and



Matthew T. Jenkins

drove her son to hockey practices and games, Jenkins said.

"I think the size of the verdict reflects what a wonderful person she was," Jenkins said.

The jury awarded \$3 million for loss of society; \$4.5 million for grief and sorrow; and \$500,000 for loss of money, goods and services.

Patrick J. Fanning of Grant & Fanning represented Transfreight. He could not be reached for comment.

Jenkins said Transfreight



Philip Harnett Corboy Jr.

denied responsibility for the accident, arguing that Kleppe's actions had nothing to do with it.

James B. Tobin of Lewis, Brisbois, Bisgaard & Smith LLP represented Kiswani and Kleppe. He could not be reached for comment.

Jenkins represented Steven McHale with his colleague, Philip Harnett Corboy Jr.

Circuit Judge William J. Haddad presided over the trial.

The case is *Steven McHale, etc. v. Transfreight LLC, et al.*, No. 2010 L 2934F.