FedEx Crash Litigation Has Settled

Three and a half years after the horrific crash in northern California that took the lives of 10 people and injured 36 others, confidential settlements have been reached in the last of the 46 cases filed against FedEx. On April 10th, 2014 a FedEx double trailer big rig crossed the median of interstate 5 near Orland, Ca. and collided head on with a bus carrying students on a trip to college campuses.

“We are hopeful that these settlements will bring a measure of closure to these families that have been devastated by this tragic event,” said attorney Paul Kiesel.

“This was the Bus Full of Dreams, because these were disadvantaged children who had excelled in school and were the first in their families to attend college. Liability rested first and foremost with Federal Express. Federal Express owned, maintained and ran that tractor unit,” said Kiesel.

FedEx had claimed that they were not liable for the crash because their driver, Timothy Evans had suddenly died from a Medical Emergency that had incapacitated him.

“There was zero evidence of a sudden medical emergency, and none of the experts hired by FedEx were able to find any physical evidence that this 38 year old physically fit driver had any such sudden emergency,” Kiesel pointed out. “To the contrary, the coroner, who did the autopsy determined that the FedEx employee, Mr. Evans, died of smoke inhalation as a result of the fireball that erupted at the moment of impact.”

Key to convincing FedEx to settle was the recent ruling by Superior Court Judge John Shepard Wiley that evidence of cell phone use by Evans, while driving the FedEx double trailer big rig, would be allowed during trial. The driver had a long history of cell phone use while driving on the job, which was against official FedEx policy.

Paul Kiesel and Chris Spagnoli, co-lead counsels of the FedEx litigation were minutes away from starting trial with Arash Homampour when the settlement was reached.