

\$57 Million Settlement for Family's Loss

On March 27, a \$57 million settlement was reached on behalf of a family whose daughter was killed and whose two sons were severely injured. The settlement was reached on behalf of parents Kathy and Torrey Jenkins, individually, and on behalf of their children. The defendants were Ranger Construction Industries, Inc. and Palm Beach County. Attorneys Chris Searcy, Darryl Lewis, and Harry Shevin, who earlier tried the liability portion of the case, presided over the settlement negotiations.

On May 6, 1997, at 10:40 p.m., Kathy Jenkins, then 26, was driving her children home from her mother's house when she made a left turn from Blue Heron Boulevard to head southbound on Congress Avenue in West Palm Beach. While making her turn, she was broadsided by a high speed car owned and operated by Andrew Cohan, a uniformed Riviera Beach police officer on his way to report for roll call. Defective design of the roadway and intersection, which were under construction at the time, caused the mutual view impairment.

Jasmine Jenkins, age 6, died at the scene. Landon, age 3, was paralyzed from the bottom of the skull down and had a mild to moderate brain injury. His twin brother Jordan suffered paralysis to one side of his body and also had a mild to moderate brain injury.

On Jan. 8, 2001, the liability portion of the trial began. Nationally recognized highway construction zone and traffic safety engineers were called to testify.

They opined that Ranger Construction violated federal and state standards and created a "visual trap" by failing to provide adequate sight distance for motorists traveling through the construction zone. On Jan. 24, the six-member Palm Beach County jury apportioned fault 50% to Ranger Construction, 43% to Palm Beach County, 7% to Cohan and 0% to Kathy Jenkins.

After the liability verdict was rendered, the Honorable Judge Stephen Rapp set the trial on damages to begin on March 26. The \$57 million settlement was reached just days before that trial began. The claim for damages against Andrew Cohan is still pending, and trial is scheduled for July 10, 2001. ■

The Jenkins family in 1996.
Front l. to r.:
Landon,
Jasmine,
and Jordan.
Back l. to r.:
Kathy and
Torrey.

