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## Wrongful Death Suit for Man Killed by Runaway Wheel Settles for \$2.85M

**Z**wier-Croce *v.* *United Rentals of North America Inc.*: The estate and survivor of a motorist killed when a truck's wheel crashed through his windshield settled a suit for \$2.85 million last Wednesday.

James Croce, 43, of Clifton, was driving with his wife on Interstate 80 in Totowa on Jan. 28, 2003, when the left rear wheel of a tractor-trailer broke off, crashed through the windshield and struck his head. Lisa Zwier-Croce, 40, suffered minor injuries. Police concluded that the lug nuts were loosely torqued on the wheel on the trailer, owned by United Rentals Inc. of Greenwich, Conn., says plaintiffs' lawyer **John Voynick Jr.** of **Renda &**



**TORQUE CLAIM:** John Voynick Jr. says police found that the lug nuts were loose on a tractor-trailer's wheel that broke off and struck his clients.

**Voynick** in Cedar Grove.

The suit alleged that the trailer's manufacturer, Norbert's Mfg. Co. of Glenboro, Manitoba, and its distributor, Crown Construction Equipment of Winnipeg, Manitoba, failed to provide notice of the proper level of torque, and that United was negligent. Zwier-Croce also sought recovery for bystander trauma.

After a settlement conference Wednesday with Passaic County Superior Court Judge **Thomas Brogan**, United agreed to pay \$2.1 million and Norbert's and Crown agreed to jointly pay another \$750,000.

United's lawyer, **George Helfrich Jr.** of **Marshall, Dennehey, Warner, Coleman & Goggin** in Roseland, declines to comment. **William Carey** of **McElroy, Deutsch, Mulvaney & Carpenter** in Morristown, representing Norbert's, and **Donald Nichols** of **William Staehle's** office in Morris Plains, representing Crown, confirm the settlement.

Assisting Voynick were his partner **Andrew Renda Jr.** and **Edward Ruffo** of Englewood's **Danker & Milstein**.

— By Charles Toutant