

Calif. Jury Clears Auto Dealer In Fatal Tour Bus Crash

By **Brandon Lowrey**

Law360, Los Angeles (April 27, 2015, 6:07 PM ET) -- A split California jury on Monday found that a tour bus was not defective when it crashed in 2006, killing two Chinese tourists and injuring eight, clearing the bus dealer that sold the bus to the tour company after a weeks-long trial with potentially tens of millions of dollars at stake.

The jury was polled after the verdict was read, with 10 of the 12 jurors agreeing with the verdict in favor of bus dealer L.A. Truck Centers LLC.

The crash victims alleged that L.A. Truck Centers was responsible for the injuries because it special ordered the minibus without seat belts. The dealer has blamed the tour company and its driver for the crash and resulting injuries and said that it did not design or manufacture the vehicle, but merely bought and sold it.

The manufacturer of the bus, Berkshire Hathaway unit Forest River Inc.'s Starcraft division, settled its part in the case confidentially before trial. TBE International settled in 2013. Plaintiffs sought compensatory and punitive damages against L.A. Truck Centers.

The lawsuit stems from a minibus crash on Oct. 17, 2010, as the tour group made its way from Las Vegas to the Grand Canyon.

The tourists were workers from a large Chinese civil engineering firm that builds bridges and highways. They were nine days into a 14-day, cross-country trip.

The bus driver was driving along a road between the Hoover Dam and the Grand Canyon with a 55 mph speed limit. He took a bend in the road, marked with a 35 mph limit, too fast and drove onto a soft shoulder, attorneys said.

Seven of the 10 passengers who were not wearing seat belts were flung from the bus through windows. One man was crushed to death beneath the rolling bus. A woman tumbling around inside the bus died when her head slammed into part of the bus door. Another man lost his leg. Others suffered brain damage and other debilitating injuries, many racking up massive medical bills, plaintiff attorney David R. Lira of Girardi Keese said during opening arguments.

The driver and the front passenger were the only ones on the bus who had access to seat belts, and they walked away from the wreck almost unscathed.

Lira told jurors during opening arguments earlier this month that the defendant ordered the minibus without seatbelts to save about \$168.

During closing arguments on Friday, Lira argued that the defendants suffered serious, life-changing injuries and that some were entitled to \$10 million or more.

Lira did not immediately respond to requests for comment after Monday's verdict. Defendant attorney Douglas W. Robinson declined to comment on the case.

For more coverage of this trial, visit Courtroom View Network.

The plaintiffs are represented by David R. Lira of Girardi & Keese.

The defendants are represented by Douglas W. Robinson, Janet L. Hickson, Gabriel S. Spooner of Shook Hardy & Bacon LLP.

The case is Hairu Chen et al. v. TBE International Inc. et al., case number BC469935, in the Superior Court of the State of California, County of Los Angeles.

--Editing by Kelly Duncan.