

BUCKS COUNTY
Courier Times

By Jo Ciavaglia

Staff writer

December 4, 2011

Ashley's mom: 'I kept saying 'I'm sorry. I'm sorry. We had to save you.'

Ashley Zauflik has no memory of the school bus accident that changed her body forever. Not how she ran backwards waving her arms as a runaway bus approached while the then 17-year-old waited on a crowded sidewalk outside Pennsbury High School's east campus in January 2007.

Not how she asked her parents repeatedly if she'd walk again as she waited to be flown by helicopter to the Hospital of the University of Pennsylvania.

She remembers nothing before waking from a medically induced coma with her left leg amputated 6 inches above her knee.

Her mother, Marguerite, though, can't forget.

On Friday, she told a Bucks County jury about the first time she saw her oldest child in a hospital exam room hours after the accident. Ashley's face was ghost white and her left leg black, cold and twisted to the side.

She talked about the day doctors presented her and her husband, Paul, with the "excruciating" choice: Ashley's leg or her life.

And the moment she had to tell her daughter that her leg was gone.

"She just looked up at me and stared at me," Marguerite Zauflik testified Friday in the family's civil trial against the Pennsbury School District. "And I kept saying, 'I'm sorry. I'm sorry. We had to save you.' "

Paul Zauflik, Ashley's dad, also testified. Friday was the first time the Zauflik family has spoken publicly about the accident, its aftermath and its impact on their lives.

Also Friday, Pennsbury School District called its lone witness, prosthetics expert Richard Riley of Prosthetic Consulting Technologies in Reno, Nev.

Riley estimated the lifetime costs for Ashley's prosthetic care at \$1.5 million. The estimate reflected a \$60,000 high-tech leg, a backup limb and one that can withstand water exposure, as well as related maintenance, replacement costs and supplies.

The closing arguments in the case are scheduled for Monday, and then the jury will start deliberations on the amount of damages to be awarded the Zaufliks.

An expert witness for Zauflik's attorney testified last week that she would need \$2.5 million to \$2.6 million in accident-related medical care, if she lives to the expected age of 78. An economic actuary also testified that the estimate increases to \$5.4 million when adjusted for inflation.

Pennsbury, which has accepted legal responsibility for the bus accident saying driver error was the cause, offered \$500,000 to settle the Zauflik suit and seven other bus-accident claims. The district claims its exposure is limited to that amount under state law.

On the witness stand Friday, Marguerite testified how before the accident Ashley enjoyed gymnastics, camping, fishing, horses and dancing. "She was a fun-loving, great girl. She had this smile, laugh that would light up your world," she said.

Paul Zauflik testified about seeing his severely injured daughter in the St. Mary Medical Center emergency room not long after the accident, awake and crying.

"She wanted to know if she could walk again or if she'd be paralyzed," he said.

During the six weeks she was hospitalized, both Marguerite and Paul testified that they saw times when Ashley grimaced in pain and her blood pressure would spike, which nurses explained was likely because she felt pain, though she was unconscious and heavily drugged.

The later decision to amputate the leg was "excruciating" for the Falls couple, Marguerite said.

"It was the worst day ever of my life. I kept thinking, if she woke up would she be mad at me for taking her leg," she said.

After her daughter returned home to heal before starting rehabilitation, she experienced constant pain, her parents said. She couldn't sit up fully. She developed a bowel obstruction that required surgery. At night, Ashley often would scream so loud in pain she'd wake her mom whose bedroom was next to hers.

But after a month of outpatient rehab therapy, Ashley was able to move better, but she was not the same. "Lost, in pain, constant pain," Marguerite said, adding that the physical pain continues.

Ashley didn't want to return to Pennsbury High School after the accident because she was self-conscious about her body. She experienced severe anxiety and a nervous breakdown in 2008, her mother said.

"She was saying she wasn't happy. She didn't like herself," she added. "It was so scary."

In recent months, though, Marguerite said a more mature Ashley has started to emerge. She is looking forward to obtaining a new lighter leg prosthesis, which has a computer-chip operated knee.

"She is a happy person. Very positive, very caring," her mom added. "My hope is for her to stand on her feet ... to be happy."

When it was her turn to take the witness stand, Ashley, now 21, asked that her parents not be in the courtroom. She didn't want them to hear about how much pain she still has emotionally and physically, said attorney William Goldman Jr., who also represents Zauflik.

In tearful testimony, Ashley told the court that she considers herself a happy person, at least she tries to be. But it's hard. She doesn't like talking about the pain she experiences.

"There aren't words," she said, dabbing at her eyes with ever-present tissues. "(It's) tough, hard getting used to, hard accepting it. Seeing other people is hard."

But Ashley said that she wants to be independent. She wants to attend college and study a career in the medical field, move out of her parents' home and start a family. She added that she has been dating a guy for several years.

When her lawyer, [Tom Kline](#), asked how she'd describe how she feels, her answer was blunt.

"Disfigured, not the same," she said. "I have body issues I never had before."

In an unusual move, Judge Robert Mellon allowed the 12 jurors to get an up-close look at Ashley's left stump, which was beneath the black dress she wore. The jury was escorted into another room with the lawyers for the viewing. Zauflik's attorneys also submitted into evidence photos taken Friday morning of Ashley's other scars, including one that runs from her chest to her pubic bone.

Since 2007, Ashley has relied mostly on wheelchairs and crutches to get around. She testified on Friday that she tried wearing what was described as a training prosthesis. She had five or six follow-up visits to adjust the fit, but it was uncomfortable and awkward to wear, and it pinched her groin area, so she stopped using it.

In February, Ashley started the process of being fitted for a new \$65,000 high-tech prosthetic with the computer-chip controlled knee. She has yet to receive the new leg, a point that Pennsbury attorney David Cohen pointed out during the trial, which started Wednesday.

“Are you going to wear (the new prosthesis)?” Kline asked Ashley.

“Yes.”

“Are you sure,” he replied.

“One-hundred percent,” she answered.