

By Steve Tawa
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Closing Arguments Continue In Megabus Crash Negligence Suit

PHILADELPHIA (CBS) – Closing arguments continue in the morning in the three-week long negligence suit brought by a woman injured in a 2010 Megabus crash, near Syracuse . It was enroute from Philadelphia to Toronto.

A Philadelphia jury will decide the amount of damages in the case.

Representing 29-year old Candice Burks, formerly of Mount Laurel, New Jersey, attorney Tom Kline asked jurors to award “a substantial amount” – millions of dollars – due to the “severe cognitive brain injury” she suffered on impact.

Kline showed jurors crash scene images, including a collage of photos depicting 16-warning signs that the double-decker bus passed before ramming into a low-hanging bridge. Four people were killed.

Several civil lawsuits against Coach USA and its subsidiary, Megabus, were settled, the terms of which were confidential. This is the only one that’s gone to trial.

A lawyer for bus driver John Tomaszewski of Yardville, New Jersey, who was acquitted at his criminal trial, asked jurors to come up with “fair and just damages,” not what he called the “inflated amount sought by her lawyers,” through their “gamesmanship.”

A lawyer for Megabus, Ted Schaer, contends Burks had medical, emotional and psychological issues before the accident. He claims her medical charts during several hospital visits immediately after the crash did not show post-concussive syndrome head injuries.