

Lawsuit Filed in Deputy's Death

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Omaha World Herald

A Douglas County sheriff's deputy might still be alive if adequate signs and lighting, a safer speed limit and proper warning signals had been in place in a construction zone near U.S. Highway 6 and Giles Road.

That's what the deputy's widow asserts in a civil lawsuit filed last week in Sarpy County District Court against the State of Nebraska, the Nebraska Roads Department and Charles Vrana & Sons Construction Co.

Shad Nicks, 36, was killed while riding his motorcycle off-duty on May 13, 2007. A car driven by Heather Henning of Papillion crossed the center line on Highway 6 north of Gretna and struck the motorcycle head-on. Henning was sentenced to prison for motor vehicle homicide and reckless driving.

Becky L. Nicks is suing for her late husband's physical pain and suffering before his death. She also is seeking compensation for the loss of income and the services, comfort, care, love and companionship that she and her three children will be without forever.

"They are just looking for a construction zone setup to be reasonably safe for drivers," said Cleve Blakeman, Nicks' attorney. "Speed limit, signage, barricade placement, light illumination, those are the factors we are talking about. . . . At that point of time, the setup did not meet the industry standards."

Mary Jo Oie, a spokeswoman for the Roads Department, said, "We know that this case is coming, but no official paperwork has been forwarded to the Attorney General's Office for Roads yet."

Charles "Chip" Vrana, president of Vrana Construction, had not returned a call for comment on the lawsuit as of Tuesday morning.

Blakeman, with advice from roadway construction experts in Kansas City and Ames, Iowa, said the S-curve temporary lane diversion was dangerous and an "unsafe roadway."

In a claim filed with the state, Nicks and Blakeman listed the total amount at \$8.5 million. That claim was denied in June, sending it to District Court.

According to the complaint, the state and the Roads Department hired Vrana as the primary contractor for the widening of Highway 6 from two lanes to four lanes.

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