

MUD must pay for woman's injuries

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Metropolitan Utilities District was ordered to pay \$360,000 to a Papillion woman who suffered several fractures in a crash after her car slid on ice created by a MUD crew working on a water main near a busy intersection.

Douglas County District Judge Gerald Moran this week ordered MUD to pay Sandra White for her pain and suffering and lost wages.

White broke both legs, five ribs and a vertebrae in her lower back after her Dodge Durango tumbled off an embankment near 72nd and F Streets and landed 15 feet below, said her attorney, Clete Blakeman of Omaha.

A MUD crew was repairing a break in a water main near the intersection shortly after 6 a.m. on Dec. 19, 2001. The crew purged water from the main by spewing it through a fire hydrant and into the intersection.

White was traveling to work when she hit the ice and lost control of her vehicle. Her Durango plunged nose down over an embankment, landed on a concrete parking lot and ended on its top.

Attorneys for MUD had contended that White was speeding and had not maintained proper lookout. But Moran rejected that notion, placing 100 percent of the blame on the utility.

The judge noted that the MUD crew created the ice but did nothing to divert traffic or warn motorists of a hazard. The utility also didn't call in any salt trucks to melt the ice, Moran said, and another five-car accident took place in the same intersection.

Justin Cooper, an attorney for MUD, said officials were reviewing Moran's order to determine whether to appeal.

Shortly after the accident, Cooper said, MUD changed procedures so that it now blocks off a traffic lane and places warning signs near similar repairs. Officials also are looking into whether they can use hoses to divert water into storm sewers.

Cooper said the utility had a couple of other claims stemming from accidents at that intersection. Those claims were for car damage, not injuries, he said.

Blakeman said White is doing fairly well but has not been able to return to her job as a banquet manager. Moran awarded her \$225,000 for pain and suffering, \$70,000 for lost wages and \$65,000 for loss of future wages.

"It changed her life pretty dramatically," Blakeman said.