

## VERDICTS & SETTLEMENTS

### \$5 MILLION SETTLEMENT

# Settlement resolves wrongful death suits in wake of fatal moving truck crash

#### **MOTOR VEHICLE COLLISION, WRONGFUL DEATH**

**CASE NUMBER/DATE:** 2111-CC00632/Aug. 24, 2022

**JUDGE:** W. Christopher McDonough

**CAPTION:** Linda, Wendell and Haley Woodall; and Emma Wood v. J&C Enterprises Inc. and George Cosmas Seebeck III

**PLAINTIFFS ATTORNEYS:** Joshua Myers, Schultz & Myers, St. Louis (for parents Linda and Wendell Woodall); Craig Ortwerth; Ortwerth Law, St. Louis (for Haley Woodall); Timothy Philipp, Timothy P. Philipp PC, St. Louis (for Wood)

**DEFENDANTS' ATTORNEYS:** Kevin Fritz and Daniel Mannion; Lashly & Baer, St. Louis

#### ■ Alan Scherzagier

The family of a 35-year-old St. Charles County woman killed in a collision with a moving company truck has reached an out-of-court settlement of three wrongful death lawsuits against the driver and his employer for a combined \$5 million.

According to a Missouri Highway Patrol accident report, Santina Woodall, an unmarried mother of two, died instantly after her



*Craig Ortwerth*

2011 Ford Fusion was struck on the driver's side by a Two Men and a Truck vehicle while turning left onto eastbound Missouri Highway 94 in Weldon Spring from southbound Wolfrum Road. The collision occurred at about 9 a.m. on July 16, 2021.

Two other nearby drivers and a third witness reported that the truck, operated by Geoffrey Cosmas Seebeck III, of O'Fallon, Missouri, entered the intersection after running a red light.

Woodall's parents sued the driver as well as J&C Enterprises Inc. of Sunset Hills, the local franchise owner and Seebeck's employer, in St. Charles County Court.

The suit alleged that the company intentionally uses moving trucks just below the vehicle weight threshold that would trigger more extensive driver training, certification and safety standards under federal motor carrier regulations,

including the possession of a Commercial Driver License.

"J&C should have known that (Seebeck) was not fully qualified to drive this truck, yet they dispatched him anyway," said lead plaintiff's attorney Joshua Myers of Schultz & Myers.

In a written statement, attorneys for J&C said that both Myers and the suit "mischaracterize the law in Missouri, and the way J&C operates its business, in a way that is false and inaccurate."

"By law, straight box trucks of this type are not considered commercial motor vehicles, and CDLS are not required to operate such vehicles," said defense attorney Daniel Mannion of Lashly & Baer in St. Louis.

The statement added that an inspection of the truck following the accident found no mechanical problems with the brakes.

"The truck driver... also underwent extensive training and passed his Missouri Class E license examination prior to the accident. This was a tragic accident, and we extend our deepest condolences to Ms. Woodall's family."