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## \$62M settlement reached in Oklahoma turnpike deaths case

NORMAN — Attorneys for both sides say a civil lawsuit over an Oklahoma turnpike collision that killed 10 people has been settled for \$62.7 million.

BY THE ASSOCIATED PRESS  
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In this Oklahoma Highway Patrol photo from June 26, 2009, a tractor truck hauling a semi trailer sits atop a minivan at the scene of a multiple-vehicle accident on Interstate 44 near Miami, Okla. Ten people died after a tractor-trailer slammed into a line of cars stopped by an earlier accident along a northeast Oklahoma turnpike near Miami. The National Transportation Safety Board is meeting Tuesday, Sept. 28, 2010, to determine the cause of the accident and to make safety recommendations. (AP Photo/Oklahoma Highway Patrol)

NORMAN — A nearly \$63 million settlement was reached Thursday in a lawsuit filed after a tractor-trailer slammed into a line of stopped cars along an Oklahoma turnpike and killed 10 people.

The settlement was reached with relatives of eight of the victims. Their lawsuit alleged the truck's operator, Associated Wholesale Grocers Inc., failed to properly train and supervise the driver before the June 2009 crash on the Will Rogers Turnpike in northeastern Oklahoma.

The \$62.7 million agreement was announced as prospective jurors waited in a Cleveland County courtroom to be questioned for trial.

Ricardo Reyes, whose parents were killed in the crash, said the settlement should serve as a warning to truck operators nationwide to improve their driver training and safety programs.

"Business as usual is not worth the risk," said Reyes, of Phoenix. "This is a terrible tragedy. This is something that didn't need to happen."

The settlement includes monetary damages for Reyes' sister, Andrea, who was 12 when she survived the collision that killed their parents, A. Ricardo and Ernestina Reyes, of Phoenix. Andrea was in court with a dozen other members of her family Thursday.

Asked by reporters how she felt, the 13-year-old replied: "I'm doing good."

"Physically, she's a lot better," said Ricardo Reyes, an ex-Marine, adding that his parents were the rock of their family. "To say it's been rough is really an understatement."

Authorities said an earlier crash had stopped eastbound traffic on the turnpike before the tractor-trailer — driven by 77-year-old Donald Creed, of Willard, Mo. — slammed into at least three cars, which then crashed into more vehicles. The eastbound lanes were closed for hours as rescue crews pried the victims from the mangled wreckage.

The lawsuit alleged that Creed left Springfield, Mo., about 3 a.m. on the day of the crash and had worked continuously before the 1:16 p.m. accident.

The other people killed in the crash were Oral and Earlene Hooks, of Oklahoma City, and two of their sons, Antonio and Dione; Randall and Shelby Hayes and their son, Ethan, of Frisco, Texas; and Shelby Hayes' mother, Cynthia Olson of Crossroads, Texas.

A relative of Olson and Shelby Hayes previously reached an out-of-court settlement. Details haven't been disclosed.

An attorney for Associated Wholesale Grocers, Jim Secrest, of Tulsa, apologized to the victims' relatives Thursday.

"We are sorry," Secrest told family members seated in the courtroom

Secrest later said the incident prompted the Kansas City, Kan.-based trucking company to re-examine its driver training and safety programs.

"The message from what happened in this is loud and clear to AWG," Secrest said. "I am aware that they have made changes. We are paying closer attention to fatigue when it comes to driving."

Secrest also said that Creed, who did not appear in court, was distraught over the victims' deaths.

"He was so remorseful he just couldn't appear in the courtroom today," Secrest said.

Creed, the owners and drivers of two vehicles involved in the earlier crash and several insurance companies also were named in the lawsuit.

In August, Creed pleaded guilty to 10 counts of negligent homicide, a misdemeanor, in a plea agreement in which he agreed to serve 30 days in the county jail and be subjected to electronic monitoring for the first year of probation. He also will be barred from possessing a commercial driver's license, authorities said.

Ricardo Reyes said the accident was completely avoidable but that his family holds no animosity toward Creed.

"We've always been brought up with forgiveness," he said. "What's important to us is to have some type of impact. What's important to us is to learn from it."

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