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Cook County jury awards \$1.9M

Man injured when his grandma crashed car in parking garage

GRACE BARBIC

gbarbic@lawbulletinmedia.com

A Cook County jury awarded \$1.9 million to a man who was injured when his grandmother crashed her car into a concrete wall inside a Chicago parking garage.

Leonardo Swearingen, then 21, was a passenger in the backseat of a car driven by his grandmother, Phyllis Lynn Pederson, on June 10, 2022.

His grandfather was in the front passenger seat.

Pederson put the car in park while she paid her ticket for the parking garage at 875 N. Michigan Ave.

When she took the car out of park she stepped on the gas instead of the brake and the car sped forward, crashing into a concrete wall, the complaint alleged.

Swearingen exited the vehicle and performed CPR on his

grandmother, but was unable to save her and she died from her injuries in the crash.

Swearingen sustained a clavicle fracture, wrist fracture and multiple finger fractures, requiring surgery on his pinky finger. He also had a partially collapsed lung and back pain as a result of the crash.

Swearingen also claimed he developed post-traumatic stress disorder (PTSD) from the experience, requiring therapy.

Swearingen sued Maryellen Danaher, the independent administrator of the estate of Pederson, in Cook County Circuit Court, alleging negligence.

The complaint alleged Pederson failed to operate the vehicle in a safe and careful manner and that she carelessly and negligently stepped on the accelerator instead of the brake, among other claims.

Pederson's car was insured by State Farm with a policy limit of \$1.2 million, according to the plaintiff's attorneys.



Brian LaCien



Allyson Cox

The defense admitted liability and the case went to trial March 24 before Cook County Circuit Court Judge Nichole C. Patton.

The jury returned a verdict in favor of Swearingen on March 27.

The award covers emotional distress, pain and suffering, loss of a normal life and medical expenses.

Swearingen was also awarded nearly \$200,000 in prejudgment interest, his attorneys said.

Swearingen is represented by Brian LaCien and Allyson

Cox of Smith LaCien LLP.

They said they are "thrilled" with the outcome.

"Even more than compensation, this verdict provides vindication for our client's experience and sends a clear message that PTSD is real, and it has had a real impact on his life," Cox said in a written statement.

The estate is represented by Jack B. Batten and Cole M. Smith of Michael D. Gallo & Associates. They could not be reached for comment.

The case is *Swearingen v. Danaher*, 23 L 7726.