

Crash victim's family files claim

By Jason Kuiper
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The family of a 24-year-old woman who died after crashing into a city truck has filed a claim seeking \$10 million in damages and alleging negligence by the truck's operator.

City lawyers, meanwhile, are seeking information on whether the woman was distracted before the crash.

The family of Alicia M. Rea filed the claim with the City of Omaha, listing medical expenses, lost earnings and other damages in connection with the Oct. 20 crash near 129th Street and West Maple Road.

The claim names the city and Kevin Y. Settles, 49, operator of the truck Rea's car hit, as the negligent parties.

Rea, a 2009 graduate of the University of Nebraska College of Nursing, was driving a 2001 Volkswagen Passat that hit the truck, which was stopped in a traffic lane while a crew patched potholes.

Omaha police turned their findings over to the Douglas County Attorney's Office. No criminal charges were filed against Settles.

The Public Works Department also investigated the crash and turned its findings over to the City Law Department, which is conducting its own investigation.

Days after the crash, Public Works Director Bob Stubbe said a preliminary investigation determined that proper procedures were followed by the city workers.

The attorney for the Rea family said the “collision in this case was a foreseeable, yet preventable event.”

“An extensive body of rules, regulations and standards govern the type of operation that the city truck in question was engaged in, and a reading of those standards by any reasonable person shows the City of Omaha unfortunately did not adhere to the standards they had a duty to follow,” said **Brian Jorde**, a lawyer for the Rea family.

The claim alleges there were no signs, lights, barricades or other warnings alerting drivers to the truck's presence.

The claim was received by the city last month. City attorneys have six months to respond, after which the family could file a lawsuit against the city.

Jorde said a lawsuit was likely.

City attorneys are seeking cell phone and vehicle records related to the crash from a local Volkswagen dealer, Verizon Wireless and Facebook.

Deputy City Attorney Tom Mumgaard said the investigation indicated that Rea may have accessed Facebook on her phone sometime prior to the collision.

City lawyers also are seeking information from the Rea car's "black box."

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