

South Orange family gets \$7.5M from crash blamed on Flemington car dealer

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An owner of Flemington Car and Truck Country, shown in this Google Maps image, says the jury was swayed by wayward accounts of the incident and that the dealership's owners and their attorneys reviewing their options, including an appeal.

**FLEMINGTON** — A jury has awarded a South Orange woman, her mother and her late father's estate \$7.5 million in damages following a rollover accident in April 2009 that was attributed to negligence on the part of a Flemington car dealer and servicer, according to jury verdict forms provided by the plaintiff's attorney.

But Steve Kalafer, an owner of Flemington Car and Truck Country, says the jury was swayed by wayward accounts of the incident and that the dealership's owners and their attorneys are reviewing their options, including an appeal.

The suit grew out of a tire blowout at 65 mph on Interstate 95 in Virginia as Carla Caesar's family was driving Florida from New Jersey in a 2004 Chevy Trailblazer, said the attorney, Christopher Hager.

The rollover crushed the SUV's roof. Caesar suffered a head injury; her father, Roy Allen, was critically injured, and her mother, Erna Allen, was also injured in the Easter Sunday accident.

The suit alleged that Roy Allen bought the SUV from Flemington Car and Truck Country and had it serviced at the dealership several times afterward, including through separate service contracts Allen later purchased, Hager said.

Allen last brought the vehicle to the dealer for service three days before the accident, when he also noted to technicians that the rear of the Trailblazer was handling poorly, Hager said.

The suit claimed the dealership was negligent in not alerting Allen to a bald spot on one of the Trailblazers' tires and inadequate tire tread and in not recommending that he replace the defective tire. Instead it was recommended that he have the tires rotated, Hager said.

"I rely on my car dealership to do right," he said, "and this dealership absolutely did not do that."

The eight-member jury in Superior Court in Newark returned a unanimous verdict on Tuesday. It awarded plaintiffs \$2 million in compensatory damages

and \$5.5 million in punitive damages.

Kalafer called the verdict a product of hyperbole and embellishment.

"I absolutely and vigorously disagree with the verdict reached by this 'runaway' Essex County jury located in Newark," he said in a statement. "This verdict is not only unfair but symptomatic of today's risk of conducting business where 'drama' and 'story telling' trump hard work and the acceptance of responsibility."

He said his dealership has an "unblemished safety record" stretching 30 years.

"This is not the judicial system I value and believe in," he wrote. "Our attorneys are examining all options including our right to appeal."