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Court upholds negligence ruling

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December 16, 2010

POST-TRIBUNE STAFF REPORT

Canadian trucking company Hummer Transportation Inc. does owe a Crown Point couple \$5.2 million judgment for negligent equipment and driving on part of its driver, says the Indiana 2nd District Appellate Court.

A ruling issued Wednesday upheld the judgment issued by Porter County Judge William Alexa last year and states the Brampton, Ontario, trucking firm failed to demonstrate how part of Kimberly and Jesse Harty's attorney Kenneth J. Allen's argument improperly influenced the jury in that trial.

Allen, of Valparaiso, said the woman, now 34, and her husband suffered grievous injury and deserve the money they got.

"This establishes the judgment needs to be paid," Allen said Wednesday. "These heavy trucks drive through Northwest Indiana with shoddy equipment and negligent drivers, and it's a hazard to the community."

In 2006, Kimberly Harty, 30, was struck by a semi-truck driven by 37-year-old Inderjeet Sekhon, which veered into her lane and crushed her vehicle under the trailer. The semi was owned by Hummer Transportation of Ontario, Canada.

Harty did not work for more than a year and racked up \$123,000 in medical bills at the time of the November 2009 trial.

During that trial, Alexa awarded Kim Harty \$4.27 million and her husband \$950,000.

"We would gladly give any amount of money just to have our lives back. This is not something I would wish on my worst enemy," Kimberly Harty was quoted as saying a year ago.

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