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News

Portage couple sues trucking firm

Sept. 9, 2005

By John Grant Emeigh / Post-Tribune staff writer

VALPARAISO — A prominent local attorney hopes to drive out of business the trucking company involved in Tuesday's massive tanker accident at the Skyway toll plaza.

Attorney Kenneth J. Allen filed a lawsuit against the trucking company in Cook County on Thursday on behalf of a Portage couple who were injured in that accident.

He claims Wetterau Homestead Inc. was negligent because it has an alleged history of violating federal safety standards.

The lawsuit also names the tanker driver, Patrick Kelly, as a defendant. Police said Kelly lost control of his tanker Tuesday evening after falling asleep at the wheel and smashing into several vehicles waiting at the toll plaza in the eastbound lane of I-90 in Chicago.

Jerome and Rosalyn Watson of Portage were among those waiting at the toll plaza in their Mitsubishi Montero when the crash happened.

"I just heard screeching and crumbling metal, people were screaming and I saw the look of horror on my husband's face," said Rosalyn Watson, recalling the accident Thursday at a news conference held at Allen's Glendale Boulevard office.



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The couple said they were lucky to walk away from the crash with their lives. The tanker was hauling condensed milk — but when Jerome Watson saw the tanker sliding toward his vehicle, he thought it was all over.

“I thought it was a gas tanker and I thought we were all going to die,” he said Thursday.

Rosalyn had to have surgery for a dislocated left shoulder and Jerome suffered some minor scrapes in the wreck.

The couple is seeking in excess of \$50,000, but Allen said the purpose of the lawsuit is not just about the money.

“I want to make sure Mr. Kelly and that company are off the road, so they cannot endanger the citizens of Illinois and Indiana,” Allen said.


Allen alleges that the Federal Motor Carrier Safety Administration has cited Wetterau Homestead seven times for various violations in the past four years.

The alleged violations range from not drug testing all of its drivers to drivers spending too much time on the road without resting.


A person answering the phone at Wetterau Homestead’s office in Richfield, Wis., Thursday afternoon said all managers were gone for the day. He said the company was being represented by attorney Charles Bohl. A secretary at Bohl’s office said he had gone for the day.

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