

Norfolk Jury: \$9.5M For Accident Victim

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A Norfolk Superior Court jury awarded a Milford driver — paralyzed after her car was rear-ended by a 78,000-pound tanker truck — \$9.5 million in what is said to be the largest verdict in the state for such an injury.

“It was a horrible case, just horrible,” Margaret M. Pinkham of Boston, one of the attorneys representing victim Marcia Rhodes, told MetroWest Daily News.

Rhodes, 46, an antiques dealer and part-time accounting instructor at Regis College, was on her way to a Holliston antique shop on Jan. 9, 2002, when a Medway police officer stopped traffic because of some work being done along the side of Route 109. Rhodes’ was the only car stopped by the officer when a 78,000-pound tanker truck loaded with liquid asphalt crested a hill behind her.

“She glanced in the rear view mirror and saw a white tractor-tanker coming down on her. She knew it was going to hit her,” Pinkham said.

Rhodes, who is paralyzed from the waist down, sued the truck driver, Carlo Zalewski of New Jersey, and the company who owned the asphalt, GAF Materials Corp.

Zalewski’s lawyer, Lawrence F. Boyle of Boston, told MetroWest Daily News his client, who was covered by an insurance policy held by GAF, admitted being at fault in the accident. But Boyle said police should have warned drivers better about the temporary stop.

“It was a horrible case, with bad damages, and I think the jury gave a fair reward,” Boyle said, adding that Zalewski was driving under the speed limit when the accident occurred.

Rhodes was also represented by Fred M. Pritzker of Boston.

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10 Milk Street, Suite 1000,

Boston, MA 02108

(800) 451-9998

