

Wrestling accident suits settled

By Paula Green
Emerald Reporter

Lawsuits filed in Oregon and Washington concerning the fatal 1984 crash of a University wrestling team van have been settled, according to the plaintiffs' attorney Art Johnson.

The "substantial settlements" were contributed to by the states of Oregon and Washington, and by Fircrest Poultry Farms Inc., of Creswell, which owned the van involved in the accident.

The suits charged the state of Oregon with negligence in allowing an employee to operate the van on icy roads in deteriorating weather conditions. Fircrest also was accused of negligence in providing a van that did not contain tire studs or chains and in which the rear seats were not equipped with seat belts.

Suits filed against the state of Washington charged that warning signs along the winding highway where the accident occurred were inadequate and that the guardrail was substandard. The accident took place on State Route 127 near Palmroy, Wash. The team was en route to a match at Washington State University in Pullman.

Last December, a three-week jury trial in Lane County ended with the verdict that neither the state of Oregon nor Fircrest were negligent in the case. An appeal of the case was then established because it was discovered that "an important exhibit in the argument had never reached the jury," Johnson said.

The exhibit, the "Manual on

Uniform Traffic Control Devices," was thought by the plaintiffs to have raised important questions against the defendants in the case. Because of this, "the plaintiffs felt the rulings were prejudicial," Johnson said.

The settlements decided in the appellate court concluded all cases relating to the wrestling van accident.

University wrestlers Jed Kesey and Lorenzo West died in the 1984 accident. Injured in the accident were wrestlers Garrett Clayton, Daemon Knight, Keith Beutler, Travis Hancock and Larry Topliff. The latter two received the most serious injuries. Also injured was assistant coach Miles Hancock.

Suits filed by Norma Faye Kesey on behalf of her son, and by Vernell West on behalf of his brother were settled through compensation for the loss of personal relationships and for claim of wrongful death.

Compensation for those parties injured will cover the cost of medical care following the accident, future medical care and compensation for permanent disabilities.

Johnson now is working on another case that will petition the NCAA and the Pacific-10 to adopt rules for travel safety. The first lawsuit, involving compensation and safety, began the dispute for the petition, so "this sort of thing doesn't happen to other people," Johnson said.

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