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Lawyer: Injury verdict goes against county

By C. JEROME CROW-DN Staff Writer

RED BLUFF Tehama County Superior Court Judge Ed King awarded the second largest jury verdict in county history to the tune of \$1.1 million to the victim of an accident involving a road crew, according to lawyer Wendy York.

Rick McNeill was awarded the sum as a result of pain and suffering he endured after a Caterpillar Asphalt Compactor truck collided with his vehicle in June of 2002 near Proberta.

County Counsel Will Murphy was unavailable for comment Friday.

McNeill, an X-ray technician at St. Elizabeth Community Hospital was on his way home from Chico when he was driving through the town of Proberta on 99 West.

A road crew was applying asphalt to residential side streets which cross San Benito Avenue.

Although the flagger was at lunch, the large piece of equipment was still rolling. And while signs warned of construction and flaggers, there were no flaggers on duty, according to York.

"Sensing the road construction danger had passed, Mr. McNeill continued southbound on Highway 99W towards Chico when the mammoth Caterpillar asphalt compactor rolled into his path and forever changed his life," said York in a statement released after the verdict on Thursday. "In an instant, McNeill was crumpled inside his sedan with fractures to his legs, ankles, feet and pelvis."

McNeill was life-flighted to Mercy Medical Center in Redding where he underwent eight surgeries and future operations to replace hardware implants.

"We hope this preventable injury will set a precedent and send a message to road construction industry that federal and state guidelines and regulations should be followed to protect Drivers," York added in her statement.

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