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LAW BULLETIN MEDIA

\$5.2M for cyclist hit by flatbed

Divvy crash was likely first U.S. bikeshare death

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A Cook County jury awarded \$5.25 million to the family of a 25-year-old Divvy bike rider who was fatally struck by a flatbed truck.

The verdict was reached Tuesday after a trial before Associate Judge Bridget Jane Hughes.

Jurors found the truck driver and his employer liable for \$7 million in damages, which was reduced to \$5.25 million after they found cyclist Virginia Murray was 25% negligent in the crash.

On July 1, 2016, Cosmin A. Radu — driving a vehicle owned by A&B Hardwood Flooring Supplies — was stopped in the right lane at Sacramento and Belmont Avenues in the Avondale neighborhood.

Murray rode northbound along Sacramento to the right of Radu. When the traffic signal turned green, Radu started to turn right onto Belmont and

ran over Murray in the intersection.

Jeffrey J. Kroll of Kaveny + Kroll LLC, who represented Murray's estate, said Murray was "clearly visible" in both of Radu's mirrors or had he turned his head.

Kroll argued at trial Murray was an experienced bike rider who was wearing a helmet.

"She was abiding by the laws for bicyclists in our city," Kroll said.

There was no bike lane on the street where the collision happened.

Radu testified at trial that he used his turn signal, but Kroll disputed that testimony at trial.

Radu's attorneys argued their client looked in his mirrors twice before turning and did not see Murray, Kroll said.

The flooring company made a settlement offer of \$500,000 prior to trial.

The North American Bike-share Association, of which the Chicago Department of Transportation and Divvy are members, issued a statement in 2016 stating Murray was believed to be the first bike-sharing death in the United States.



Jeffrey J. Kroll



Ava B. Gehringer



Cook County Circuit Court
Murray v. A&B Hardwood Flooring Supplies Inc.
16 L 7570
Associate Judge Bridget Jane Hughes

The Divvy bikeshare service launched in summer 2013.

Murray's estate was also represented by Ava B. Gehringer of Kaveny + Kroll LLC.

The defendants were represented by Lori A. Vanderlaan

and Fritz V. Wilson of Best Vanderlaan & Harrington.

They could not be reached for comment.

The case is *Jim Murray, et al., v A&B Hardwood Flooring Supplies Inc., et al.*, 16 L 7570.