

\$17.72 Million Verdict in Wrongful Death Case



Vuk Vujasinovic, VB Attorneys, Houston.

The family of a worker who died during the construction of a new Baylor University football stadium won a \$17.72 million wrongful death verdict against Austin Bridge & Road, a company engaged in the building project.

At the time of his death, the worker was helping construct a pedestrian bridge across the Brazos River as part of the new stadium.

The verdict included \$2 million in punitive damages.

The plaintiffs' victory in *Suarez v. Baylor* in the 151st District Court in Houston followed a three-week trial and one full day of jury deliberations.

It also ranked as a meaningful reward for lead plaintiff counsel Vuk Vujasinovic of VB Attorneys in Houston for his testing of novel trial strategy.

"I surprised myself and I think everyone else," Vujasinovic recalled. Specifically, in his closing arguments, he asked the jury to pin 100 percent of the liability on Austin Bridge & Road, and assign none to the other four defendants against which claims were still pending at the time of closing arguments.

"I had wanted everyone [to stay] in the case as long as possible because they were all pointing fingers at each other," Vujasinovic said.

With such discord among the defendants, and after he cross-examined a defense expert effectively, Vujasinovic believed that the jury would view the case against Austin Bridge & Road as persuasive.

In their petition, the plaintiffs alleged that Jose Dario Suarez died after he fell off the bridge while strapped onto boom equipment and drowned.

Larry Black, a Kingsland solo practitioner who represents Austin Bridge & Road, did not return a call seeking comment.

In a post-verdict motion for a directed verdict, Austin Bridge & Road requested a directed verdict in the defendants' favor based on Suarez' coverage under Texas' workers' compensation.

Vujasinovic expects Austin Bridge & Road to appeal. Throughout the trial the defendant continuously offered settlements, but all offers fell below what his clients won in the jury verdict.