



May 18, 2007

## BROWNE GREENE AND GEOFFREY S. WELLS JOIN AS CO-COUNSEL TO LITIGATE NEGLIGENCE CASE AGAINST THE MTA LAWYERS WILL CHALLENGE EFFICACY OF MTA'S BUS DRIVER TRAINING PROGRAM

Santa Monica, CA (May 18, 2007) – Browne Greene and Geoffrey S. Wells with the Santa Monica, CA. law firm of Greene Broillet & Wheeler, LLP have joined as co-counsel with Kenneth E. Ostrove to represent Joseph L. Garcia in his negligence case against the Los Angeles County Metropolitan Transportation Authority (MTA). On June 25, 2005, Mr. Garcia was a passenger on an MTA bus that collided with a vehicle that was parked on Santa Monica Boulevard in Santa Monica, CA., causing him to violently strike his head within the bus and which resulted in permanent injury to his brain. Joseph L. Garcia v. Los Angeles County Metropolitan Transportation Authority, Case No. SC088830.

The trial in this case will begin on Friday, May 25, 2007 at 9:30 AM in Los Angeles Superior Court/West Division (Santa Monica Courthouse), Department "I", 1725 Main Street, Santa Monica, CA. 90401 and will be heard before the Hon. Jacqueline A. Connor. It is anticipated that opening statements will begin on May 28th or May 29th. The trial is expected to last approximately two weeks.

As a result of the accident, Mr. Garcia, now age 58, sustained traumatic brain injury; had to undergo an emergency craniotomy; is now paralyzed on his left side, has respiratory failure and a tracheostomy. Since the accident, Mr. Garcia has been treated at four area hospitals, including UCLA Medical Center, Rancho Los Amigos, Pacific Care Hospital and Care Meridian. He will require 24-hour attendant care for the rest of his life. His attorneys will argue that it is a clear case of liability on behalf of the defendants, including MTA bus driver Sylvia Delana Fairfax.

"The MTA's own rule states that a bus must maintain right-side clearance of 3-4½ feet from parked vehicles," explained Browne Greene. "Yet, MTA bus driver Sylvia Fairfax broke that rule when the MTA bus that she was driving collided with a vehicle parked on the northbound side of Santa Monica Boulevard that she had already driven by several times during her shift. If this alone were not enough, we learned in discovery that Ms. Fairfax had serious problems with right-side clearance during her training to become an MTA bus driver. Why on earth did the MTA allow such a person to drive on our public streets?"

"As a common carrier, the MTA has the utmost duty of care to the public it serves," continued Greene. "We question the efficacy of the MTA's driver training program and will do our utmost to hold the MTA accountable for failing Joseph Garcia and for ruining his life."

### **Editor's Note:**

Plaintiff Joseph L. Garcia is represented by Browne Greene and Geoffrey S. Wells with the Santa Monica, CA. law firm of Greene Broillet & Wheeler (Tel: 310.576.1200; [www.greene-broillet.com](http://www.greene-broillet.com)) and Kenneth E. Ostrove with the North Hollywood, CA. Law Offices of Kenneth E. Ostrove (Tel: 818.505.9532).

Defendants the MTA and Sylvia Delana Fairfax are represented by Mark A. Weinstein and Barry Hassenberg with Veatch Carlson (Tel: 213.381.2861) and Dana Alden Fox with Lynberg & Watkins (Tel: 213.624.7800).

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