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Families, nursing home reach settlement in 2005 bus fire

■ The terms were not released over blaze that killed 23 Rita evacuees

By JAMES PINKERTON
HOUSTON CHRONICLE

The families of 23 elderly residents of a Bellaire nursing home who died in a bus fire near Dallas while evacuating from Hurricane Rita two years ago have reached a settlement with owners of the nursing home, attorneys in Houston confirmed.

The terms of the settlement with Sunrise Senior Living Services Inc., of McLean, Va., were confidential and not released, according to attorneys for several of the families of those who perished. The company operates Brighton Gardens of Bellaire, which leased two buses to evacuate residents as Hurricane Rita approached the Texas coast in September

2005.

The two-year anniversary of Rita hitting the area was Monday.

"The nursing home has settled," said attorney Richard Mithoff, who represents six of those who died in the fire and a seventh resident who died later.

"I would say our differences have been amicably resolved, and both sides are happy to put those issues behind them," said Houston attorney Randy Sorrels, who also represents families of those killed.

Jamison Gosselin, director of Corporate Communications for Sunrise Senior Living, also confirmed the settlement.

"Sunrise settled all claims made against it," Gosselin said in an e-mail. "This has been a heart-wrenching time for many people, and we certainly share their sadness. Resident safety is always a top priority for us."

In June, the National Highway Traffic Safety Administration determined the probable

cause of the accident was insufficient lubrication of a rear axle, which overheated and caused a fire in the wheel well that quickly filled the 1998 bus with flames and heavy smoke.

The NHTSA investigation found that bus operator Global Limo Inc., located in Pharr in the Rio Grande Valley, skipped required inspections to determine a rear tag axle lacked lubrication.

A federal jury found Global Limo owner and former NFL player James Maples guilty of failing to require his drivers to conduct daily safety inspections and skipping required maintenance.

Sorrels and Mithoff said lawsuits against the bus manufacturer and others are proceeding. The lawsuit against the bus maker is focusing on possible design and manufacturing defects in the axle lubrication system on the 1998 bus.

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