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Settlement reached over Victoria bus crash

The Associated Press

VICTORIA, Texas—A \$10 million settlement has been reached involving personal injury claims filed over a Jan. 2 charter bus crash that killed one person and injured dozens more near Victoria.

The settlement the family of the man who died and 44 passengers reached with the driver, owners and managers of the bus company was filed Dec. 11 in the 165th Judicial District Court and made public Wednesday, the Victoria Advocate reported for its online edition.

Pedro Mendez, a 55-year-old Houston man, died when the bus traveling from Monterrey, Mexico, to Houston veered off U.S. 59 near Victoria and flipped on its side. Dozens were injured, including Houston's Bernarda Pena, who lost her right arm.

Forty-four of the passengers filed personal injury claims.

This settlement represents all of the insurance proceeds available to date to settle the claims arising out of this tragic accident," said Houston attorney Richard Mithoff, who represents Mendez' family.

Our investigation into others who may be responsible is continuing.... Mrs. Mendez was totally dependent on her husband, both financially and emotionally. This settlement is not the end of the road," Mithoff said.

Carlos Rodriguez, 55, of Victoria, suffered severe back injuries.

We hired a mediator who evaluated the value of each person's claim if it were to go to court," said Jim Cole, Rodriguez's attorney. "Everyone recovered a percentage. I believe it was a fair process that was used. I just think

it's a shame the bus companies didn't maintain financial responsibility for all the losses.

No one received full compensation."

Mendez's family received \$4.3 million of the settlement and the 44 others shared in the remaining \$5.7 million.

In the suit, Houston-based Capricorn Bus Lines, International Charter Services and Transportes Chavez are charged, in part, with failing to properly screen, test and qualify drivers—as well as with allowing drivers to operate a bus while fatigued, Mithoff said.

Authorities said the driver, Roberto Garcia Cruz, fell asleep and was driving with the wrong kind of commercial license, both misdemeanors. Cruz had multiple driving while intoxicated convictions. Cruz was not drunk the night of the bus crash.