

Family of firefighter killed in bike crash awarded \$39 million in wrongful death suit

By **Keri Blakinger**

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The family of a Houston firefighter killed three years ago in a bike wreck won a massive \$39 million verdict Tuesday in a wrongful death suit targeting one of the nation's largest landscaping companies.

The company, named in the suit as Brickman but now known as BrightView, plans to appeal - but W. Mark Braswell's grieving family still sees the verdict as a welcome relief.

"The Braswell family is extremely grateful for the jury's verdict," Houston attorney Richard Mithoff said Wednesday.

"They are at peace knowing that they achieved a resolution of what actually happened to Mark on that day," Braswell, a Houston Fire Department captain, was riding his bike along North Bridgeland Lake Parkway when he crashed into a landscaping trailer stopped in traffic on the four-lane roadway.

It's still unclear exactly what happened as there were no outside witnesses who saw the collision, but Mithoff said some testimony indicated that the landscaping truck stopped abruptly. Instead of turning onto a less heavily-trafficked side street, the crew decided to unload equipment while stopped in an active lane of a busy road, according to Mithoff.



Photo: Cy-Fair Volunteer Fire Department

Assistant Cy-Fair Volunteer Fire Department chief W. Mark Braswell

The crash slashed Braswell's head open, but the 43-year-old father of two was still LifeFlighted to the hospital, where he was pronounced dead. Afterward, the fallen firefighter's widow, Michelle Braswell, struggled to get answers as to what sparked the wreck, Mithoff said. In 2015, she and other surviving family filed suit against Brickman and the worker driving the truck.

Reached Wednesday, Brickman - now Brightview - said they planned to pursue an appeal but declined to offer any other comment on the case.

"We continue to express our condolences to Mark Braswell's family," the company said in a statement.

During the course of the week-long trial, a Brickman supervisor admitted that stopping in traffic to work was a

dangerous practice, but the company did nothing to stop it. The workers did not put out cones, flags or lookouts to redirect traffic.

"I think this case highlights the danger of this practice, of commercial trucks stopping to load or unload in the middle of a busy thoroughfare," Mithoff said.

The jury found Brickman Group responsible for 68 percent of the damages. A month after the wreck, the company merged with Valley Crest Landscape to form BrightView, the nation's largest commercial landscape and design company.

Before his death, Braswell served as a captain at an HFD station in the Heights area and also worked as an assistant chief for the Cy-Fair Volunteer Fire Department.

He was one of the first responders at the massive five-alarm blaze in March 2014 that decimated a \$50 million apartment building under construction in Montrose. He narrowly escaped the conflagration, rushing down from the fifth floor just moments before part of the building collapsed.

Now, as his widow and children struggle to pick up the pieces, they're optimistic about the impact of such a verdict.

"The family is hopeful," Mithoff said, "that this will serve as a wake up call to any companies engaging in this practice."