

THE HERALD, November 22, 2000

Crash victim awarded \$7 million

By: Wanda J. DeMarzo

A Broward County jury awarded \$7 million Tuesday to a Hollywood woman who suffered brain damage after being struck by a drunk driver.

The insurance companies for McFadden Inc., a New York Corporation, and Next Generation, Inc., a Tennessee corporation, were found liable for the full amount of the jury's verdict. McFadden Leasing Inc. owned the utility vehicle that struck Diana Mancuso; Next Generation Inc. leased the vehicle.

On March 1, 1994, Mancuso, then 37, was broadsided by Shane Peter Leanna as she drove west on Tyler Street in Hollywood around 2 a.m. Witnesses told police Leanna was driving at a high rate of speed south on U.S. 1 in a Ford Bronco.

Leanna, 23, at the time, was convicted of driving under the influence and causing bodily harm and served almost two years in prison, said Fort Lauderdale attorney Thomas Guzda, who represented McFadden Leasing. Leanna's Bronco was owned by McFadden and was being leased by Next Generation, also named in the suit filed by Mancuso.

He admitted he was drunk, apologized and served time in prison, Guzda said. He lost his wife and almost everything else.

Mancuso was hospitalized for more than three months and is unable to work because of injuries she suffered in the wreck.

She has brain damage and lives with her parents, said Robert W. Kelley, who represented Mancuso. We are very pleased with the verdict—it's a good one.

The civil trial took place before Judge George A. Brescher and lasted almost two weeks. The six jurors brought back the verdict around noon Tuesday.

Leanna, who moved to Tennessee after his release from prison, flew in for the trial. He took the stand and apologized to Mancuso.

My client saw him for the first time since everything happened, Kelley said. It was a very emotional time for her when the verdict was read. She went up to Shane and they hugged, and she told him not to worry about her but to move on with his life.

Kelley said the insurance carriers for the leasing companies are financially responsible for the injuries and damage of an accident in the same way that any private insurance company would be.

Guzda had argued prior to trial that McFadden Leasing should not be held liable for Leanna's drunk driving, but that argument was rejected.

"We give thanks during this week of Thanksgiving that she will now have the funds she needs to take care of herself during the future," Kelley said.