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Plane crash victim wins \$6 million

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A Cuyahoga County jury awarded more than \$7 million to a North Carolina couple because of injuries the man suffered in a 1995 plane crash into Lake Erie.

John White, who was awarded \$6,450,246 last night, was one of two survivors pulled out of the lake Nov. 19, 1995, by a pair of fishermen on their last outing of the year. Also rescued was Dale Sherman of Littleton, Colo.

White's wife, Anissa, who was not a passenger, received an additional \$1,015,792, for loss of companionship because of her husband's injuries.

Killed in the crash were Susan Stirman, 43, her 12-year-old son, Remington, and pilot Millford Derrick, 47.

All five were passengers in the same private twin-engine plane owned by Derrick's company. They were returning home to North Carolina after a tour of the Rock and Roll Hall of Fame and Museum.

The suit, tried in Cuyahoga County Common Pleas Court, was against Derrick's estate and his flight insurance carrier, United States Aviation Underwriters of New York.

Judge Nancy Russo had found that Derrick was at fault for the crash, so the trial only concerned how much money ought to be awarded.

The National Transportation Safety Board ruled last year that a likely cause was Derrick's failure to properly use his instruments. One of the Whites' lawyers

said Derrick became disoriented, possibly while showing off the new airplane's climbing and turning ability over the lake.

Russo was prepared to begin a similar claim by passenger Sherman after the White trial ended, but the insurance company settled with Sherman late last week; said R. Jack Clapp, his lawyer. Clapp had demanded \$7.3 million to settle, according to court documents filed in May, but could not disclose the actual settlement.

Jamie Lebovitz and Scott Segal, the Whites' lawyers, originally had asked for \$6 million to settle, but told jurors the case was worth about \$9 million.

All eight jurors approved yesterday's award, which covered pain and suffering, lost earnings and medical expenses.

White said after the verdicts: "I want to thank God for this jury. I want to thank God for my [legal] representation. And I want to thank God for the two people who pulled me out [of the lake]."

He said he would return to his home in Charlotte and resume his physical rehabilitation.

Segal said the crash broke White's nose, left leg and back, and he suffered post-traumatic stress disorder because of memories of the drowning child clutching at him after the crash.

Margaret Mary Meko, the insurance company's lawyer, said in her opening statement last week that White would have modest future expenses but not what White's lawyers had suggested.

Meko said after last night's verdict, "I don't think we're going to make any comment right now."