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ALM



Defendants Settle for \$7M in Suit Over Fall in Icy Parking Lot

Ingling v. Ryder Truck Rental: A Camden County judge approved a \$7 million settlement on Tuesday to a driver who allegedly suffered a serious brain injury in a slip and fall at a Ryder Truck Rental facility.

According to the suit, the accident occurred on Feb. 5, 2004, at a Ryder Truck facility in Pennsauken, when Benjamin Ingling, a driver for McLean Trucking, which leased trucks from Ryder, slipped on an icy gravel park-

ing area and hit his head. While a colleague went to call for help, a still groggy Ingling tried to climb into a nearby truck but stumbled and hit his head again.

Ingling sued Ryder and Ryder brought a third-party complaint against All-Green Turf Management, the contractor it hired to clear snow and ice. The suit claimed the lot was poorly lit and snow and ice were not adequately cleared.

Ingling, now 57, was left unable to walk or swallow and requires around-the-clock nursing care, say his lawyers, **Norman Shabel** and **Stephen DeNittis** of **Shabel & DeNittis** in Marlton.

The defendants said Ingling suffered a stroke or heart attack, but his experts — a biomechanical engineer, neurosurgeon and neuropsychiatrist — testified that the injuries were caused by the fall.

Ryder agreed to pay \$6.5 million and All-Green \$500,000 in February after mediation with **Joel Rosen**, a former U.S. magistrate judge now with **Montgomery McCracken Walker & Rhoads** in Cherry Hill.

Superior Court Judge **Ronald Freeman** approved the settlement.

Ryder's lawyer, **John Miller** of **Christie, Pabarue, Mortensen & Young** in Westmont, and All-Green's lawyer, **Richard Gerber** of **J. Mark Pecci II's** firm in Philadelphia, did not return calls.

— *By Charles Toutant*