

# Tucson Citizen

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## Mom settles suit for son for \$950,000

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The mother of a 23-year-old man left comatose after his motorcycle collided with a garbage truck accepted a \$950,000 settlement Friday from Waste Management of Tucson and the truck's driver.

Lawyers agreed on the figure after a conference mediated by Tucson lawyer Janice Wezelman in Pima County Superior Court.

Connie Gogle, the mother of Terrell Hathaway, had sued driver George Duarte and his employer, Waste Management, for damages.

Hathaway, a resort worker, was coming from a friend's house on Feb. 3, 1989, when his motorcycle collided with the truck on North Jaynes Station Road near West Shannon Road.

Duarte has given two accounts of what happened, according to court documents. He initially said he never saw Hathaway. Later he said Hathaway was speeding toward him in the wrong lane, and he tried to turn left to avoid Hathaway.

Hathaway was not wearing a helmet and was going about 10 miles over the 25-mph speed limit, said his lawyers, Michael F. Rollins and Silas H. Shultz.

Neither driver showed signs of alcohol or drug use.

The lawyers said evidence probably would have shown both men were negligent — one reason they preferred to settle the case.

Shultz said he and Rollins went into the conference asking for \$1 million. Phoenix lawyer John A. Michaels offered \$900,000 and they settled on \$950,000.