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Wrongful Death Claim Settled For \$2.2 Million

Subway manager had been
drinking prior to crash

Estate of Lee C. Trahan v. Salem Subway Restaurant, et al.: A wrongful death case brought against a Subway sandwich shop in Salem over a store manager's role in a fatal car accident has been settled for \$2.2 million.

Ernest F. Teitell and **Paul A. Slager**, partners at Stamford's **Silver Golub & Teitell**, brought the suit against the Salem Subway franchise, the chain's franchisor, **Doctors' Associates Inc.**, and other defendants. The attorneys represent the estate of **Lee Trahan**, who was 18 when he was killed in the May 2001 crash.

Trahan was a backseat passenger in a car driven by his best friend, who also died in the collision with a vehicle driven by Subway store manager **Timothy Kaplan** following a four-car, high-speed chase. Kaplan had just finished his shift at the Subway store. The plaintiff's estate claimed that, during the chase, Kaplan bumped Trahan's car, causing it to lose control and rollover at a speed greater than 80 m.p.h.

According to Teitell, Kaplan, a minor, had been drinking alcohol that night while at work. He and Slager claimed Kaplan's employer was liable for the crash. Teitell and Slager also sought to hold **Doctors'**



ERNEST F. TEITELL AND PAUL A. SLAGER

Associates Inc. liable for the client's death. They claimed that, once **Doctors' Associates** elected to regularly monitor and inspect the Salem Subway store, it had to take reasonable care in doing so.

A number of the Salem Subway store's employees testified at depositions that Kaplan regularly drank beer at work during the months immediately before the acci-

dent, the plaintiff's lawyers said.

April Haskell, at **Montstream & May** in Glastonbury, represented **Doctors' Associates Inc.** **John Stephen Papa**, at Hartford-based **Howard, Kohn Sprague & FitzGerald**, represented the Salem Subway franchise. Neither could be reached by press time.

—by Scott Brede