# [***Estate Of Jennifer Rivera, et al. v. Oak Tavern; 2007 Mealey's Jury Verdicts & Settlements 2014***](https://advance.lexis.com/api/document?collection=jury-verdicts-settlements&id=urn:contentItem:4NY6-50K0-0223-Y0H5-00000-00&context=)

CUM-L-387-04

April 24, 2007

**Headline:** New Jersey State Jury Rules Tavern Not Responsible For Women's Death In Auto ***Accident***

**Result:** Defense verdict

**Injury:** Death

**Court:** N.J. Super., Cumberland Co.

**Judge:** Michael B. Fisher

**Plaintiff Profile**

Estate of Jennifer Rivera, estate of Jennifer Rodriguez

**Defendant Profile**

Oak Tavern

**Plaintiff Counsel**

For Rivera - Shawn Huber, Brown & Connery, Westmont, N.J. For Rodriguez - Louis DeVoto, Rossetti & DeVoto, Cherry Hill, N.J

**Defendant Counsel**

L. Patrick Dacey, Bolan Jahnsen & Reardon, Shrewsbury, N.J

**Case Summary**

**Claim:** Dram shop violation

**Background:** Sources told Mealey Publications that on Dec. 20, 2002, Jennifer Rodriguez and Jennifer Rivera left the Oak Tavern in Vineland, N.J., and with Rodriguez driving, headed south on North West Boulevard without headlights on in the northbound lanes. They struck a ***car*** going north and driven by Charles Morris and were killed, sources said. Sources said Rivera died about 20 minutes later, and Rodriguez died a few hours later in the hospital.Sources said Rodriguez's blood-alcohol level was .24 percent, well ahead of the legal limit at the time, which was .10 percent. The legal limit in New Jersey is now .08 percent.The estates of Rivera and Rodriguez sued Oak Tavern on April 7, 2004, in the Cumberland County Superior Court.

**Other:** The trial lasted seven days, and the jury deliberated three hours, sources said.Sources said the driver of the vehicle struck by Rodriguez's ***car***, Morris, was dismissed from the case on summary judgment, as was the first bar Rodriguez and Rivera went to, Randazzo's Tavern in Vineland.The jury found that Rodriguez did not exhibit signs of intoxication during the little more than an hour the pair was in the bar, sources said. This claim was backed up by a witness who was with the pair, sources said.Sources said the jury assessed $558,000 in damages against Rodriguez's estate, payable to Rivera's estate, but reduced the award to $418,400 after finding Rivera 25 percent negligent. Rodriguez had zero liability coverage on her ***car*** insurance policy, sources said, so Rivera's estate was able to collect $100,000 from her ***car*** insurance policy for an uninsured motorist claim.

**Defense:** Allegations denied.

**Plaintiff Expert(s)**

For Rodriguez - John Brick, PhD, toxicologist, Rockland County, N.Y., testified that Rodriguez would have shown signs of intoxication at the bar if she was as drunk as her blood-alcohol content indicated Ian Hood, Ph.D., forensic pathologist, Philadelphia, testified that Rodriguez would have survived the ***accident*** for 20 minutes to an hour based on her injuries. For Rivera - Matty Marcus, Ph.D., economist, Scotch Plains, N.J., testified to the economic impact her death had on her family. For Rodriguez - David Bunin, Ph.D., economist, Philadelphia, testified on the economic impact her death had on her family Tariq Siddigi, M.D., neurosurgeon, Voorhees, N.J., testified on the injuries Rivera suffered

**Defendant Expert(s)**

None called

**Key Related Documents**

Jury verdict sheet for Rivera available.Document #99-070604-222V.

Jury verdict sheet for Rodriguez available.Document #99-070604-223V.

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