# [***Heather Truchan v. Sayreville Bar and Restaurant, Inc., et al; 2001 Mealey's Jury Verdicts & Settlements 840***](https://advance.lexis.com/api/document?collection=jury-verdicts-settlements&id=urn:contentItem:4SB9-JYM0-0223-Y1BF-00000-00&context=)

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May 22, 2001

**Headline:** New Jersey ***Car*** ***Accident*** Victim Awarded $512,500 Against DUI Driver But Not Against Bar

**Result:** $512,500 plaintiff verdict (against John V. Kelly)

**Injury:** Unspecified injuries

**Court:** N.J. Super., Law Div., Middlesex Co.

**Plaintiff Profile**

Heather Truchan

**Defendant Profile**

Sayreville Bar and Restaurant Inc. t/a Sayreville Bar and Restaurant, John V. Kelly, John Does 1-15

**Case Summary**

**Claim:** Personal injury

**Background:** Heather Truchan was struck head-on by an auto driven by John V. Kelly, who had just left Sayreville Bar and Restaurant Inc. Kelly s blood-alcohol level was .20 percent. Truchan sustained serious personal injuries as a result of the ***accident***. She sued Kelly and Sayreville Bar and several unidentified people in the Middlesex County, N.J., Superior Court, Law Division.

**Other:** After a four-day trial, the jury found no liability against Sayreville Bar, finding Kelly to be solely responsible for the ***accident***. The jury awarded the plaintiff $512,500 in damages against Kelly. On appeal by the plaintiff, the Superior Court Appellate Division reversed and remanded the matter because the exclusion of excited utterance testimony was clearly capable of producing an unjust result.

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