# [***Wilma D Oliviera v. Diane J. Micol, et al; 2001 Mealey's Jury Verdicts & Settlements 838***](https://advance.lexis.com/api/document?collection=jury-verdicts-settlements&id=urn:contentItem:4SB9-JYM0-0223-Y18K-00000-00&context=)

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Oct. 5, 2001

**Headline:** Passenger In New Jersey Auto ***Accident*** Involving Tractor-Trailer Does Not Succeed In Negligence Action Against Driver Of Auto And Truck

**Result:** Defense verdict

**Injury:** Unspecified injuries

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

**Plaintiff Profile**

Wilma D Oliviera

**Defendant Profile**

Diane J. Micol, Theodore Jarusewski, John Dallas Patten, United Van Lines and/or Mohawk Moving and Storage

**Case Summary**

**Claim:** Personal injury

**Background:** John Dallas Patten, an independent owner-operator, was driving his tractor-trailer, which he leased to United Van Lines and Mohawk Moving and Storage, when his fuel tank was ripped open by a piece of metal lying on the highway. Theodore Jarusewski was driving some distance behind the truck, drove over the fuel and almost lost control. Diane J. Micol was driving the ***car*** behind Jarusewski and drove over the fuel, but lost control of her ***car*** and hit Jarusewski s. Wilma D Oliviera was a passenger in the Jarusewski vehicle and was injured. She filed suit in the Somerset County, N.J., Superior Court, Law Division.

**Other:** Jarusewski s motion for summary judgment dismissing the complaint against him was granted. The trial court granted the motion to dismiss of United Van Lines and Mohawk Moving and Storage because of D Oliviera s failure to prove a prima facie case of negligence against them. At the conclusion of trial, the jury returned a no cause verdict in favor of Micol and Patten.

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