

Erie Times-News

Associated Press

December 6, 2011

Pa. jury: \$14M for school bus crash, amputation

PHILADELPHIA -- A woman who was struck by a school bus when she was in high school and lost her left leg was awarded \$14 million by a Pennsylvania jury Monday, although the award is likely to be reduced under state law.

Ashley Zauflik, 22, of Fairless Hills, spent a month in a medically induced coma and had her leg amputated after the January 2007 crash in the Philadelphia suburbs.

The National Transportation Safety Board found that the driver stepped on the accelerator, not the brake, before crashing into a crowd of students during dismissal at Pennsbury High School. The driver long disputed that finding, but the Pennsbury School District admitted liability before trial.

The trial judge is expected to reduce the award to \$500,000, the cap allowed under a 1980 Pennsylvania law that protects municipalities and school districts.

Zauflik's lawyer hopes to negotiate a higher settlement with the district or appeal the cap to the state Supreme Court. The high court last upheld the limit in 1986.

"The school district should -- because it's moral, and just, and the right thing to do -- step forward and create the funds that would compensate Ashley," lawyer [Thomas Kline](#) said.

The district could create an annuity for a settlement, he said.

David Cohen, who represented the district, did not return a message seeking comment.

Zauflik testified that the crash left her "disfigured" and struggling with depression. She has had trouble using a prosthetic leg and relies instead on crutches or a wheelchair. She finished high school at home.

Her mother told of the difficulty she had telling her daughter about the amputation when she regained consciousness.

"I'm sorry, I'm sorry," Marguerite Zauflik recalled telling her daughter. "It was the only thing I could do to save your life."

The award includes \$11 million for pain and suffering and other noneconomic damages, and about \$3 million for past and future medical expenses.