

Injured victim's spouse sues bus owner, driver

Two other members of family were killed in Sherman crash

By DALE LEZON Copyright 2008 Houston Chronicle

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A man whose wife was injured and whose mother-in-law and sister-in-law were killed in a bus crash near Sherman last week sued the bus manufacturer, owner and driver Wednesday in state district court.

Lau Pham, who was not on the bus, was too distraught to appear at a news conference Wednesday at the Harris County Civil Courthouse to announce the filing, a family supporter said.

His son, Peter Pham, said the accident has shattered his family.

"We want to know how can this happen," Peter Pham said. "We want to find out the truth."

State District Judge John T. Wooldridge granted a request included in the suit that prevents the bus or other evidence — including a blown front tire suspected as the cause of the accident — from being altered until Pham's attorneys and their accident experts can investigate them.

"The physical evidence, the bus, the tire tell a story," said Rob Ammons, Lau Pham's attorney.

"It's going to tell us what happened in the crash."

The next hearing in the case is scheduled for Aug. 25.

The bus crashed about 12:45 a.m. Friday on U.S. 75 near the North Texas city. The bus was carrying 55 Vietnamese Catholics en route to a religious festival in Carthage, Mo.

Investigators have said a retreaded front tire blew out, and the bus smashed through a guardrail, plunged from a bridge and rolled down an embankment into a ravine.

Twelve people died there, and five others died in nearby hospitals. Dozens were injured.

Pham's suit, filed in state district court, names Angel de la Torre and his bus firms Angel Tours Inc., Iguala BusMex Inc., Iguala Bus Ltd. Co. It also names Barrett Wayne Broussard, who was behind the wheel at the time of the deadly crash, and Motor Coach Industries Inc., the bus manufacturer.

They could not be reached for comment. Broussard is in a Sherman hospital in critical condition.

The suit states that de la Torre and his firms were negligent in failing to properly maintain the bus and its tires and wheels, as well as training Broussard. It also states that Broussard was negligent because he did not inspect the bus and operated it with a recapped tire. Regulations prohibit recapped tires on the steering axles of commercial buses.

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The suit seeks unspecified actual and punitive damages related to medical costs for Lau Pham's wife, Bich Ngoc Tran. His mother-in-law, Cham Nguyen, and sister-in-law, Catherine Tran, were killed.

Peter Pham said he hopes the lawsuit will prevent similar crashes from causing families such suffering.

He said his family has not told his mother about her relatives' deaths. He said the three women were very close, and he wants to wait until his mother is stronger and then tell her a little at a time. "I wish people would say a prayer for us," he said. "We need the prayers from everybody to help all the families who went through this tragedy to have the strength to pull through."

Federal investigators are unsure if the bus was insured.

Angel Tours had an insurance policy of \$5 million, records show.

Iguala, on the other hand, appears to have no insurance.

One of the questions federal investigators, regulators and eventually civil attorneys will have is whether Angel Tours' \$5 million policy can be transferred to cover Iguala.

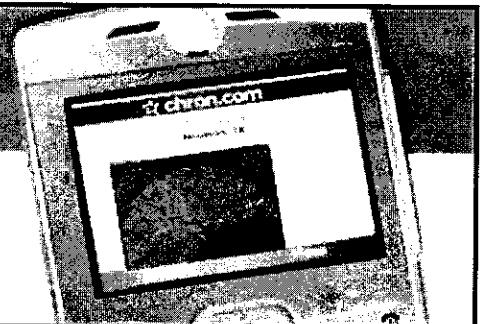
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