Grand Trunk loses appeal

staff writer

The state Court of Appeals has upheld a \$1.68 million Oakland Circuit Court jury verdict in a car-train crash case.

The award was made to plaintlifs David and Deborah Petrove and their daughter Janette. Loser is Grand Trunk Western Rallroad Co. "We have filed for leave to appeal to the state Supreme Court," said Earl Opperthauser, Farmington Hills resident and an attorney for Grand Trunk.

He said the amount of the award is reduced to \$554.000 by the jury's finding that Mrs. Petrove, the driver, was 66 percent at fault.

But the award is increased by 12 percent annual interest, which accrues from the date the case was

stitled (A 1988 state law, not applicable here, starts the interest clock running from the date of the jury certificial was seriously in January 1982 white driving her jurde on a snowy, slippery morning in January 1982 white driving her juried on the northern Oakland village of Leonard. She was travelling at 28 mph. Her view of the train was partly obstructed by a factory.

The Petroves filed sult against the village and VW. A mediation panel MRS, PETROVE was seriously in-jured on a snowy, slippery morning in January 1982 while driving her Volkswagen on Elmwood Road in the northern Oakland village of Leonard. She was travelling at 25-31 mph in a 35 mph zone. The train was travelling at 25 mph. Her view of the train was partly obstructed by a fac-tory.

train was purely occur-tory.

The Petroves filed suit against the village and VW. A mediation panel proposed an award totalling \$935,000 against all three defend-

ants:

• \$35,600 against the village,
which settled for that amount.

• \$750,000 against VW, which

THE APPEALS panel — Judges Walter Cynar, Harold Hood and William B. Murphy — upheld Circuit Judge Fred Mester on seven contested points involving jury instructions and admissibility of evidence.

The appeals court said Mester correctly instructed the jury that Grand Trunk could have agreed with the village to install additional signs at the Elimwood Street crossing.

"There was some evidence that the operators of the train could have avoided the collision," the appeals court said.

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Opperthauser said a major appeal point will be the admission of testimony by a state Department of Transportation official, who said MDOT would have granted permission to install crossing signats. "We once tried to erect a 'yield' sign and got charged criminally for it," Opperthauser said. Mester said, "Any judge would be pleased at baving his or her decision upheld by the Court of Appeals. I feel good about that. The jury came back with a good decision."

Right on the dot.



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OU gets planning funds for building

The state Legislative Capital Out-lay Committee has authorized \$325,000 to prepare schematic plans for Oakland University \$425 million Science and Technology Center. "We are extremely pleased that he state has recognized this critical need that will allow us to expand our tole in the sciences, an area so vital to the state of Michigan," Oll presi-dent Joseph E. Champagne sald. He said the "approval of our Sci-ence and Technology Center also recognizes the outstanding research capabilities of this university."

OU RECOMMENDED the archi-OU RECOMMENDED the archi-tectural firm of Hatley Ellington Pi-erce Yee Associates, Inc., be chosen to design the building. The Depart-ment of Management and Budget will award the architectural con-tract for the state.

Choral group sets program

The Madrigal Chorale of South-field will give a program of Lenten music at 8 p.m. Friday, March 17, at First Baptist Church, 300 Willits at Bates, Birmingham.

There is no admission charge.





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The 170,000 square-foot-facility will "have a domino effect on the entire campus as it eases shortages of the compus as it is eases shortages of the compus as it is eases shortages of the control of th

a process that will lead to construc-tion of one badly needed facility.
"This is a large and complicated structure, and the financial health of the state of Michigan will play a ma-jor part in the release of capital out-lay funds for construction," the pres-ident said.

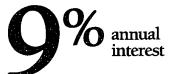
HARLEY ELLINGTON Pierce Yee Associates, inc. has many major local area buildings to its credit. They include the Comerica Opera-tions Center, GMF Robotics head-quarters and the new ITT Automo-tive world headquarters in the Oak-

iand Technology Park.
The firm is doing the interior design for the Chrysler Technology Conter, also in the Oak Tech Park.
The new OU Science and Technology Center is planned for an area adjacent to the existing Hannah Hall of Science and the John F. Dodge Hall of Engineering at the northwest section of campus near University Drive and Squirrel Road.
The current student body — about 12,000 students — is nearly triple the Hannah Hall's design capacity and more than double Dodge Hall's design capacity, Champagne said.

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