$175,000 SETTLEMENT

Lawyers prove dual residence in wrongful death case

By Catherine Martin
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Lawyers reached a $175,000 settlement for the family of a 16-year-old fatally hit by a car while riding his bike in a case that yielded a larger sum due to dual residency.

The 16-year-old Missouri resident was visiting his father in Illinois when he was struck by a 1986 Grand Marquis, driven by a 27-year-old Missouri resident, on St. Louis Road in St. Clair County.

The driver said in the police report that his dash lights went out prior to the crash and he looked down, said Richard A. Faulstich, who represented the plaintiffs. The collision threw the boy a huge distance, Faulstich said, and there was some evidence the driver was speeding.

The boy was pronounced dead at the scene.

"Really, a failure to look out and excessive speed was the negligence on the driver," Faulstich said.

Faulstich said he proved dual residency with evidence that the 16-year-old kept clothes at each house, and "grooming things," like toothbrushes and hairbrushes, which he presented to the insurance company.

Faulstich noted that he had never run across dual residency before. His wife, Lisa Faulstich, who practices family law, was able to help him.

"It mixed family law with personal injury law," he said.

A representative from American Family Insurance said the company doesn’t comment on specific claim settlements.

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