

Accident victim gets \$51.6 million

Courts • The personal-injury award is thought to be the largest for a lone O.C. plaintiff.

By GREG HARDESTY
The Orange County Register

A jury Thursday awarded a 22-year-old Newport Beach woman a record \$51.6 million for injuries she suffered in a car crash — money her parents say won't erase the pain.

"Am I going to grin?" father Jeff Burch said. "No — I want my daughter back."

The personal-injury award is the largest ever for a single plaintiff in Orange County and appears to be the largest for one person in California history, according to published reports.

The award reflected both the nature of the injuries and the age of the victim, said attorney Lawrence P. Grassini, who represented victim Becky Burch.

"This was a catastrophic injury, and she will live with it for the rest of her life," Grassini said.

Burch was 19 when, on Feb. 3, 1999, a truck driver for Children's Hospital of Orange County ran a red light and slammed into her red Chrysler LeBaron.

She was just minutes away from her home in the Eastbluff section of Newport Beach. By chance, her father happened upon the scene — and, he said, "My whole life turned upside down."

Becky Burch spent 9 1/2 weeks in a coma and today has severe brain damage. She likely will use a wheelchair for the rest of her life, doctors say.

The \$51.6 million award will help Jeff Burch and his wife, Carol, hire



BECKY BURCH is in high spirits Thursday with her father, Jeff, at their Newport Beach home. Becky was severely injured in a 1999 traffic collision • Photo: Mark Avery / The Register

caretakers for their daughter, but the money won't change certain harsh realities.

Like the suicidal thoughts that haunt the damaged mind of Becky Burch.

Or the fact that she cannot eat or brush her teeth on her own.

She has, doctors say, the general skills of a 7-year-old.

"My daughter is gone," Jeff Burch said. "We've got a new person who looks like her. We love her just the same, but of course, she's not the same person."

The previous top personal-injury verdict in Orange County was for \$38.1 million, in February 1996,

against the city of Laguna Beach for vehicle negligence, according to Trials Digest, an Oakland legal publication.

The jury in Westminster spent about five hours deliberating. Becky Burch did not testify during the seven-day trial but made an appearance so jurors could see her condition.

Her slurred speech is difficult to understand.

She seems to remember much from her past, but not what she did a few hours earlier.

She is extremely weak on her left side, and she has ataxia — an inability to control muscle movements — on her right side.

She is a far different Becky from the gregarious and athletic teen who was a student at Irvine Valley College studying child development.

On the back of her backpack were the words, "Hi, I'm Becky. Who are you?"

About half the money awarded by the Orange County jury — \$25 million — will go toward future medical and attendant care for Becky. That number was calculated from her estimated life expectancy of 80 years.

Another \$25 million is for general damages, and the balance — \$1.5 million — is for past medical and caretaking expenses.

Becky was returning home for lunch when the truck rammed into the driver's side of the car. The truck driver was reading a map book and had not noticed the light had changed, according to police.

The insurance carrier for CHOC offered to settle the case for \$25 million, but the Burch family refused.



THE BURCHES pose for a 1994 family portrait — A.J., left, Becky and their parents, Carol and Jeff • Photo courtesy of the Burch family

"Everybody at CHOC felt very badly about the accident involving Becky Burch," said Darrell Forgey, an attorney for the hospital. "The hospital accepted responsibility, and at the time of trial we offered to settle the case. That was not accepted.

"As far as the verdict goes, all I can say is, the jury has spoken."

The subject of the huge jury verdict

was not broached at the Burch home Thursday afternoon.

Grinning widely, her white teeth gleaming, Becky instead talked about some of her passions — pre-accident.

"I loved running," she said.

She remembered the time she ran the 3.2-mile cross-country in high school.

"19:23," she said in a blink.

Jeff Burch, an electrical engineer, and Carol Burch, a self-employed sales consultant, took months off from work to nurse their daughter out of her coma. They now put in enough hours to get by.

They are Becky's full-time caretakers.

A new addition to the family, Luke the dog, helps keep Becky company.

"The reality is, Becky's life is the definition of pain and suffering, as far as I'm concerned," Jeff Burch said.

"This (jury award) doesn't let you heal. This doesn't let up."

•Contact Hardesty at (714) 834-3773 or ghardesty@ocregister.com