

Injured Joggers Sue Dana Point

They say poor design of PCH led to their being hit by a motorist. A wall is being built at the spot.

By DAVID REYES
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Poor planning and design along a strip of Pacific Coast Highway in Dana Point are to blame for an accident that left two joggers paralyzed, a lawsuit filed Tuesday alleged.

The complaint, filed on behalf of Carol Daniel and Chris Neria and their spouses, alleges the city is at fault because the road was dangerously designed and lacked safeguards to prevent joggers from being hit by cars.

The two women were struck April 8 by a hit-and-run driver. The incident took place in an area where other joggers and bicyclists have been injured or killed, their attorney, Daniel Callahan, said.

City Manager Douglas C. Chotkevys was not available for comment.

In July, the Dana Point City Council approved spending \$350,000 to install a wall between car traffic and bicyclists and joggers.

At the time, the city's public works director said the area had not been a safety problem before the recent spate of accidents.

The section of road, which offers ocean vistas along craggy bluffs, has been the scene of several accidents in the last five months that have left two injured and two dead.

The city is building a 10-foot-wide bike and pedestrian path that will be 1½ miles long on the ocean side of the highway and

will carry traffic in both directions. A 3-foot-high concrete wall will shield the path from vehicles. It is expected to be completed this month.

Callahan said he filed a claim against the city seeking more than \$10 million. He sued after the claim was rejected. The lawsuit seeks unspecified damages.

Callahan said he represented another client who was struck in the same section along PCH.

His client settled but he said that he notified the city that it needed to address the problem.

"Now these two women are quadriplegics and two others

have died," he said.

Daniel, 42, and Neria, 34, were jogging along PCH with two other San Clemente women.

When hit, Daniel was thrown about 60 feet. She broke her neck, pelvis and both legs, and Neria suffered a fractured skull, two broken legs, broken pelvis, nose and cheek.

Authorities say William Todd Bradshaw, a 37-year-old transient, was the driver and sped from the scene. He was arrested a week later at a nearby strip mall.

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