

Isle G. Westphal v. Anthony Jansa, et al.
2017CV30903

Attachment A to Proposed Preliminary Case Management Order

DATE FILED: January 29, 2018 9:03 AM
CASE NUMBER: 2017CV30903

November 22, 2016, Ilse G. Westphal, then 85 years old, was waiting for her bus at a bus stop/shelter owned and operated by the City of Fort Collins. The bus stop/shelter was along Harmony Road west of Zeigler Road. While waiting for her bus to arrive, the City of Fort Collins was engaged in the staging and establishment of a construction site along Harmony Road and around the City bus shelter. The construction project was Phase 2 of the East Harmony Duct Bank project and included the installation of 12 large underground vaults. In order to set the vaults, a large construction crane was staged along Harmony Road. In addition, several other vehicles were being parked along the northern-most lane of harmony Road to the east of the bus shelter.

As the construction site was being established, a semi-tractor and low tractor driven by Anthony John Jansa, a subcontractor and employee of Jansa Trucking, LLC, backed over Plaintiff and rolled her under the trailer of the semi-tractor/trailer, dragging her backward and then forward under the vehicle resulting in a significant bodily injury.

Plaintiff states the following causes of action to be determined by a jury asserting that the City of Fort Collins and the Jansa Defendants were the joint cause of the damages to Ms. Westphal:

- Negligence - Res Ipsa Loquitur (Defendant Anthony John Jansa)
- Negligence Per Se - (Defendant Anthony John Jansa)
- Negligence (Defendant Anthony John Jansa)
- Negligence (Defendant Jansa Trucking, LLC – North Dakota)

- Respondeat Superior (Defendant Jansa Trucking, LLC – North Dakota; Defendant Jansa Trucking Colorado)
- 2 Counts of Negligence (City Of Fort Collins).