

Santa Barbara Wagon Accident at El Capitan Ranch Trial to Begin Jan. 29.

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LOS ANGELES, Jan. 23 /PRNewswire/ -- The trial resulting from a wagon accident at El Capitan Ranch is scheduled to begin Thursday, Jan. 29, 2009, at Santa Barbara Superior Court in front of the Hon. Denise De Bellefeuille.

Joseph Aragon and Ellen Aragon vs. El Capitan Ranch, LLC, Robert Carriages and Sons AKA Les Voitures Robert et Fils, Carriages by Margaret, Devon Bonfy, and DOES 1 through 50, Inclusive (Case #: 1220826) alleges negligence, product liability and premises liability.

Just after dark on Oct. 1, 2005, 10 people were injured when a horse-drawn wagon tipped over and dumped 18 passengers onto the pavement at El Capitan Canyon campground in Santa Barbara. Among the injured was Joseph Aragon, who suffered severe injuries to both shoulders. Since that night, Aragon has endured five shoulder surgeries, the most recent in January 2009.

"Yes, accidents happen," says Los Angeles plaintiff attorney Jeffrey Wolf of Pocrass, Heimanson & Wolf. "But this accident should not have occurred. The more we found out about the wagon maker and the condition of the wagon, the more we believe the accident occurred because of faulty inspections and a faulty design of the wagon."

The event that resulted in Aragon's injuries was caused when bolts on the wagon became loose and snapped, causing the wagon to tip and eject and injure a number of passengers.

"Close examination of the wagon after the accident revealed that there was a crack in one of the other wheels, also," says Wolf. "We believe that El Capitan was negligent for not properly inspecting and maintaining the wagon."

Wolf says his engineering expert explained that the wagon was improperly made. The spokes are connected to the wheels using undersized bolts, the expert claims. The design made it difficult to tighten the bolts without removing the wheels from the wagon. Additionally, the wood spokes were not adequately weather-proofed, which caused the wood to expand when wet and to contract later when they dried. This resulted in the wheel becoming loose.

Furthermore, the expert believes that the angle of the spokes to the wheel was improper, adding to the wheels' instability.

"It's frightening that, to the best of our knowledge, Robert Carriages and Sons doesn't

even have an engineer involved in the making of its wagons," says Wolf. "And this isn't the first accident that has been reported to the company regarding its wagons. We understand a similar situation happened to an Illinois man in the fall of 2003."

Robert Carriages and Sons, located in Saint-Pie, Quebec, Canada, says via its website (<http://www.robertcarriages.com/>) that it sells its products throughout Europe and America.

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