

CRAIN'S DETROIT BUSINESS

Crumbling bridge concrete

By Shawn Wright

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A \$2.5 million settlement with the Michigan Department of Transportation was awarded last August to Anthony Adeleye, whose windshield was struck by a chunk of concrete that fell from the bottom of a Southfield Freeway (M-39) overpass in April 2005 while he was driving down the Lodge Freeway (M-10).

The concrete went through Adeleye's windshield, striking him in the face. His injuries included head injury, trigeminal neuralgia (a stabbing or electric-shock-like pain in parts of the face), broken facial bones and bowel injuries.

The state argued there was no evidence the concrete was from the bridge and could have been thrown by someone on the overpass. But the court granted Adeleye's motion for summary disposition on the issue of liability after the state discarded the concrete chunk, eliminating the evidence.

According to an MDOT report released in October 2010, of 4,401 state highway bridges, 429 are structurally deficient and 883 are functionally obsolete. The overpass in Adeleye's case was listed as functionally obsolete, which means the bridge design is outdated.

Beginning this spring, MDOT will close M-39 between M-10 in Southfield and I-96 in Detroit for road reconstruction, replacement of utilities under the freeway and the replacement of bridges.

Case name: Anthony Adeleye v. Michigan Department of Transportation

Venue: State of Michigan Court of Claims, Judge Laura Baird

Case filed: 2005

Settlement: \$2.5 million, Aug. 16, 2010

Plaintiff: Anthony A. Adeleye, M.D.

Lead counsel: [David Christensen](#), partner, Michigan Auto Law, Farmington Hills.

Co-counsel: Thomas Hay, partner, Hay & O'Rourke PC, Lansing

Defendants: Michigan Department of Transportation

Lead counsel: Assistant Attorney General Philip Bladen, Lansing