

Talented Young Driver with Racing Future Killed in Road Crash Caused by Wanton Recklessness

There is nothing quite so exciting for a family than to share in the new adventures and new accomplishments of their children. On November 8, 2006, it was that same exciting time for the Ray family in Middleburg, Florida. Late in the afternoon, parents Pat and Leah Ray closed up their family-owned All Pro Automotive Shop and prepared to drive about 50 miles south to Gainesville so that their oldest daughter, 16-year-old Katie, could drive in her first-ever drag race. Pat, an avid racer, had taught his daughter how to race. She would be starting her own racing career that night in a car Pat had restored for her.



16-year-old Katie Ray.

Katie's younger sister, Taylor, then age nine, would also be part of Katie's family team. In addition, Katie's friend, Jonathan Adams, was invited to come along with the family and watch the race.

Edward Abruscato, who had been employed as a mechanic at All Pro Automotive for about two weeks, also wanted to attend the races in Gainesville that evening. Mr. Abruscato planned to drive his pickup truck to his home, load a motor scooter into the back of the truck, and take it to Gainesville so he could ride around at the race grounds. He needed help lifting and loading the scooter, so Mr. Abruscato's daughter, Kristin, along with Katie and Jonathan went with him. On the way back to All Pro Automotive, Kristin sat in the front seat with her father, and Jonathan and Katie sat in the back seat. No one in the truck was wearing a seatbelt.

On the return trip to the shop, Mr. Abruscato drove recklessly. Leaving his driveway, he spun his truck in a circle. At some stop signs, he peeled off from a full stop, spinning his tires. He sped through their neigh-

borhood at over 50 mph, moving so fast that he was unable to stop at the intersection with County Road 215. He ran the stop sign and drove into the middle of the intersection just as other cars were approaching. The impact was tremendous. Katie suffered fatal injuries from the trauma and died at the scene of the crash. The other three occupants of the truck, including Mr. Abruscato, survived.

The Ray family was devastated. There is simply no greater loss than the loss of a child. This loss was magnified by the fact that Katie's death was caused by the reckless and pointless conduct of Mr. Abruscato.

Seeking relief for the reckless actions that caused their daughter's death, the Rays made a claim against the insurance company that represented Mr. Abruscato. The insurance company unreasonably rejected the Rays' demands for Mr. Abruscato's policy limit of \$50,000. The Rays asked SDSBS attorney **Jim Gustafson** to represent them in their wrongful death case. The Ray case went to trial with Jim Gustafson and **John Shipley** trying the case, along with attorney Tommy Demas. On December 8, 2010, the jury returned a verdict against Mr. Abruscato and awarded the Ray family \$5 million. The award was reduced by 20% comparative negligence for Katie's failure to wear her seatbelt. While their grief will never go away, the Rays are slowly finding a way to move forward as a family. ♦

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