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Diners hit by vehicle settle suit for $2.65M

Driver jumped curb, smashed car through restaurant's window

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Two diners who were injured after a driver crashed through the window of a Crystal Lake restaurant accepted a $2.65 million settlement.

The plaintiffs, Amanda Robertson and Pamela Devito, accepted $1.77 million and $883,000, respectively.

The incident occurred March 23, 2023. Robertson and Devito were dining in a booth at the Buffalo Wings and Rings restaurant when a driver was attempting to park his car in front of the restaurant.

Instead of applying the brake, the driver accelerated. His car jumped the curb and smashed through restaurant's glass window.

The car struck both women, forcing Robertson through a half-wall, while Devito was injured by debris.

The women were taken to an area hospital after the crash.

Robertson underwent a C5-C6 fusion surgery after an MRI revealed a herniated cervical disc. Devito broke her wrist and underwent surgery to place plates and screws in the area of the break. Following the procedure, she developed carpal tunnel syndrome and required further surgery.

The plaintiffs filed a lawsuit in McHenry County Circuit Court in July 2023 against the restaurant, driver and other entities involved in the maintenance and operation of the parking lot and sidewalk.

In the complaint, they alleged that negligence on part of the defendants was to blame for the accident.

The defendants include JVB Enterprises Inc., which owns the restaurant; Buffalo Wings and Rings LLC; ROC Property Management; and Randall North Business Center Condominium Association.

The plaintiffs argued that the defendants should have known it was unreasonably dangerous to have nose-in parking spaces without parking bollards separating the lot from the sidewalk and restaurant.

The case was set for trial in the fall of 2027 but the parties reached a settlement before the trial could proceed.



Michael J. Schostok



Brian L. Salvi

The plaintiffs in this lawsuit, as well as in a similar suit stemming from the same incident, issued a global demand letter.

They settled with all of the defendants, with the exception of Buffalo Wings and Rings, who defaulted, according to the lead attorney for the plaintiffs.

McHenry County Circuit Court Judge Joel D. Berg approved the settlement on Oct. 6.

The plaintiffs were represented by Michael J. Schostok and Brian L. Salvi of Salvi, Schostok & Pritchard.

"I'm really happy with it," Schostok said. "I know my clients are, and they're very deserving of this. This was a nightmare scenario for anybody, and they lived it."

Randall North Business Center Condominium Association and ROC Property Management were presented by James D. Komsthoeft of the Law Offices of Rebecca E. Schubert.

JVB Enterprises d/b/a Wings and Rings of Crystal Lake was represented by Jordan A. Edelman of Quintairos Prieto Wood & Boyer.

Those attorneys could not be reached for comment.

The case is *Robertson, et al. v. JVB Enterprises, et al.*, No. 2023 LA 000173.

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