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Tribune photo by Scott Strazzante

Mayra Hernandez (right) with lawyer Thomas Zimmerman, announced a lawsuit Tuesday over her son's death in a van crash.

# Van owner sued over boy's death

**1st lawsuit filed in weekend crash that killed 2 kids**

**By Brett McNeil**  
Tribune staff reporter

Lawyers for a woman whose 8-month-old boy was killed in a van crash outside Kankakee last weekend filed a lawsuit Tuesday accusing the van's owner, driver and bus company of negligence and wrongful death.

The suit, filed on behalf of Mayra Hernandez, 23, by Chicago attorney Thomas Zimmerman Jr., is the first related to the early morning crash Saturday that killed two boys, including Hernandez's son, Desmond Brown Jr., and injured 16 other passengers.

It seeks in excess of \$50,000



**Desmond Brown (left) was killed and his sister Destiny was hurt in Saturday's crash.**

in damages from South Side resident George Willis, the van's owner; Douglas King, its driver; and Chicago-based Willis Bus Service Inc. Neither Willis nor King could be reached for comment.

According to Illinois State Police investigators, the van was overcrowded at the time of the accident and King was driving without the proper license.

In January a Cook County jury awarded \$18 million to

victims and family members of a 1998 crash involving a Willis-owned van that killed one woman and injured several other people.

Hernandez, who was in the van Saturday when it careened off a stretch of Interstate Highway 57 south of Kankakee, appeared at an afternoon news conference dressed in black. Her eyes were bruised and swollen, and she walked with a limp.

Hernandez said that in making plans to visit her fiance at Big Muddy River Correctional Center in Downstate Ina, she asked a Willis bus company dispatcher if she could bring along child safety seats for her son and daughter, Destiny Brown, 2.

"They said we couldn't bring [them] ... there was not going to be enough room," Hernandez said.

"I was not OK with it, but

the reason I went is that my fiance has been in jail since January and he has not seen his kids."

According to Hernandez, Desmond rode on her lap, and her fiance's mother, Rosetta Miller, held Destiny. All four were thrown from the van when its roof was sheared off after hitting a highway sign.

Desmond died at the scene. Miller is in critical condition at St. Mary's Hospital in Kankakee. After spending more than two days at the University of Chicago Hospitals, Destiny was released Tuesday, Hernandez said.

"You've got a van that's overcrowded and they're refusing to allow people to bring on child safety seats," Zimmerman said.

"All of that adds up to really a reckless behavior on the part of this company and its owner."