

Son was killed on foggy night when his pickup truck collided with manure spreader stopped on Jay Road

The parents of a young man who was killed in 2009 when his pickup truck hit the back of a manure spreader stopped on a dark, fog-shrouded road in the Town of Fredonia has filed a lawsuit against Lakeside Foods and the driver of the tractor pulling the spreader for the Belgium canning company.

In the lawsuit filed May 21 in Ozaukee County Circuit Court, Steven and Anne Casarez of Adell contend Lakeside Foods and the driver, Daniel Golownia of Belgium, who was 33 at the time, are responsible for the wrongful death and personal injury of their son Steven Jr., who was 19 when he was killed in the Oct. 28, 2009, accident.

The accident occurred at 11 p.m. on Jay Road, one-tenth of a mile west of Kay-K Road.

The lawsuit contends Lakeside Foods and Golownia “were negligent in the operation and maintenance of the tractor and manure spreader by failing to provide and use safe and proper lighting on the tractor and implement, failing to provide safe and proper warning of the presence of the tractor and implement and failing to manage and control the vehicle to prevent and avoid the collision.”

Golownia had pulled the manure spreader for about seven miles from Lakeside Foods’ plant in Belgium, where it was filled with potato mash. He planned to spread the load on a farm field on the south side of Jay Road.

Golownia, who was westbound on Jay Road, told authorities he had stopped the tractor preparing to make a left-hand turn, when he saw Casarez’s truck approaching and decided to wait for the vehicle to pass before making the turn, according to the accident report.

Casarez, who turned west onto Jay Road from Kay-K, apparently did not see the manure spreader until it was too late to stop. Skid marks showed he tried to stop, according to the accident report.

Casarez, a 2008 graduate of Random Lake High School, was trapped in the vehicle and died at the scene. His passenger, James Myers of Cascade who was 17 at the time, was taken to Columbia St. Mary’s Hospital in Mequon where he was treated for lacerations. He later had to have his spleen removed, his mother said.

Casarez was on his way to help a friend, which was typical of his son, his father said at the time.

The Ozaukee County Sheriff’s Department had requested Golownia be charged with a felony because the tractor and implement were not sufficiently lit and the reflective slow-moving vehicle sign was obscured with dirt.

Parents sue Lakeside Foods, driver

Written by CAROL POMEDAY
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Golownia told authorities the lights of the tractor, which were above the manure spreader, were on at the time of the accident, but he turned them off to use spotlights to assist the victims.

Their son's death prompted the Casarezes to undertake a campaign to have flashing lights required on towed farm implements. Currently, farm implements are exempt from the requirement.

Ozaukee County District Attorney Adam Gerol charged Golownia with two misdemeanors — reckless driving endangering safety and failure to display a slow-moving vehicle sign. Both charges were dismissed.

According to the accident report, Casarez and Myers were not wearing seatbelts, but the driver's airbag deployed.