

FOURTH DIVISION  
September 28, 2000

NOTICE

The text of this order may be changed or corrected prior to the time for filing of a Petition for Rehearing or the disposition of the same.

Nos. 1-99-1298 and 1-99-1303  
(Consolidated)

IN THE APPELLATE COURT OF ILLINOIS  
FIRST JUDICIAL DISTRICT

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WILLIAM D. VASILION, and THE	)	Appeal from the
NORTHERN TRUST COMPANY, as Plenary	)	Circuit Court of
Co-Guardians of the Estate of DIANE VASILION,	)	Cook County.
a Disabled Person; and WILLIAM D. VASILION,	)	
Individually,	)	
Plaintiffs-Appellees,	)	
v.	)	
	)	
HAPAG-LLOYD (AMERICA) INC.,	)	No. 95 L 2797
a corporation,	)	(Consolidated with
Defendant/Counterplaintiff-Appellant,	)	No. 95 L 2208)
v.	)	
G&D TRANSPORTATION, a corporation,	)	
THREE I TRUCK LINE, INC., a corporation,	)	
Defendants/Counterdefendants-Appellees	)	
-----	)	
RICHARD WEGNER and RAGINA WEGNER,	)	Honorable
Plaintiffs-Appellees,	)	Leonard R. Grazian,
v.	)	Judge Presiding.
HAPAG-LLOYD (AMERICA) INC., a	)	
corporation,	)	
Defendant/Counterplaintiff-Appellant,	)	
v.	)	
G&D TRANSPORTATION, a corporation, and	)	
THREE I TRUCK LINE, INC., a corporation,	)	
Defendants/Counterdefendants-Appellees.	)	
-----	)	
HAPAG-LLOYD (AMERICA) INC.,	)	
Third Party Plaintiff-Appellant,	)	
v.	)	
DENTON CARTAGE CO., INC.,	)	
Third Party Defendant-Appellee.	)	

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ORDER

Plaintiffs William Vasilion, as guardian of his wife, Diane Vasilion's estate and individually,

1-99-1298  
1-99-1303 (Cons.)

and Richard and Ragina Wegner, filed a suit against defendants Hapag-Lloyd, G&D Transportation (G&D) and Three I Truck Line, Inc. (Three I) for injuries sustained as a result of an accident which occurred on December 23, 1994. A Hi-Cube container, which was owned by Hapag-Lloyd and had been loaded at a freight yard owned by G&D, struck an overpass at the LaGrange Road overpass while being transported by Three I's driver, severely injuring the plaintiffs.

Hapag-Lloyd filed a third-party action against Denton, claiming both a right to contractual indemnity under a certain "Interchange Agreement" and a right of contribution. Prior to trial, Denton filed a motion for summary judgment on the contractual indemnity claim, but not the contribution claim. When it ruled on Denton's motion, the trial court granted summary judgment in favor of Denton on both of Hapag-Lloyd's claims.

After a trial, the jury returned verdicts in favor of the Wegners totaling \$2,612,418 against Hapag-Lloyd, G&D, and Three I. The jury also returned verdicts in favor of Diane Vasilion and William Vasilion in the amounts of \$33,960,479.86 and \$6,000,000 respectively. Judgment was entered on the verdicts. The jury apportioned liability among the three defendants as follows: Hapag-Lloyd, 25%; Three I, 55%; and G&D, 20%. Three I and G&D settled with the Wegners after their judgments were reduced by a remittitur. Prior to post-trial motions being filed, G&D settled with the Vasilions.

After the trial court denied all post-trial motions, both Hapag-Lloyd and Three I filed timely notices of appeal. For its part, Hapag-Lloyd appealed from the judgments entered in favor of the Vasilions and the Wegners, and also appealed from the summary judgment entered in favor

