

America's Oldest
Continuously
Published Newspaper

Hartford Courant.



WEATHER
Partly Cloudy,
High Near 90

VOLUME CLXIV, NUMBER 198 COPYRIGHT 2002, THE HARTFORD COURANT CO.

WEDNESDAY, JULY 17, 2002

2★ West Central Edition NEWSSTAND 50¢

Bus

CONTINUED FROM PAGE B1

ing to court documents, and with the others he is seeking compensation of at least \$1 million for medical expenses, pain, suffering, lost wages and other damages.

Those killed in the accident were seated in the middle of the bus and were completely or partly ejected, police said. The deaths of Maikel Mota and his girlfriend, Enerolisa Polanca, both 29, made an orphan of their daughter, Lixzy, 18 months, who was injured but survived. Also killed: Alexis Bondet, 16, and Jasmine Santiago, 15, both students at Waterbury's Kennedy High School, and Ruth Restiuyo, 30.

Hovan sustained minor injuries and was released by police after questioning.

Courant Staff Writer David Owens contributed to this report.

8 Passengers Sue Driver, Bus Line In Crash

2 Lawsuits Describe Struggle To Get Vehicle Safely Off Road

By LORETTA WALDMAN
COURANT STAFF WRITER

After a Waterbury-bound tour bus crashed last month on the New York Thruway near Rochester, passengers said the driver, William Hovan, appeared more interested in finding his watch and other belongings than helping dying and injured passengers.

That and other details of the June 23 accident that killed five Waterbury residents — and the hours leading up to it — fill two sets of court documents filed in Waterbury and Hartford superior courts. Filed on behalf of eight passengers who survived the weekend excursion, both civil actions name Hovan and Arrow Lines Inc., the bus company for which he worked, as defendants.

New York authorities are preparing to go before a

grand jury to seek criminal charges against Hovan, 59, a Trumbull resident who admitted to police that he spent more time gambling at a casino on the Canadian side of the border than resting before the drive back to Waterbury. Hovan has denied falling asleep at the wheel, but plaintiffs' affidavits tell a different story.

In an affidavit contained in the pre-judgment remedy request filed July 2 by Waterbury attorney Andrew Pianca, passenger Peter Strohecker said Hovan was sleeping when he and his wife, Maria, boarded the bus, then dosed off several times after it departed their Niagara Falls hotel. In the document, typically filed before a lawsuit, Strohecker, his wife and three other passengers — Eloisa, Angel and Jonathan Serrano — describe Hovan driving at excessive speeds and swerving through traffic, barely missing other vehicles.

A lawsuit filed this week by Watertown attorney Michael D'Amico on behalf of three other passengers recounts a similar scene. Eva Velez, her daughter Elizabeth Velez and her brother Juan Pabon told D'Amico they saw Hovan steering the bus with his elbows, while using his cellphone and lighting cigarettes.

All the passengers said Hovan ignored repeated pleas to pull off the road, assuring them he was OK.

"He certainly had no business driving," D'Amico said Tuesday. "He was not only sleep deprived, he was driving in a manner you would not expect of a professional driver. It would seem there was egregious misconduct" on his part.

The tour bus was on a stretch of the throughway about 16 miles south of Rochester when it bumped, then broke through a guardrail and tumbled 75 feet down an embankment. Hovan told police he lost control of the bus because of a blown tire or bump in the road. He at first contended that his drowsiness had been caused by a diabetic condition.

The bus was one of several chartered for the sight-seeing trip by three Waterbury churches. Dozens of the 44 passengers were injured.

Strohecker described being thrown around the rolling vehicle, with objects and fellow passengers falling on him. His back, neck, legs and arm were injured, accord-

PLEASE SEE BUS, PAGE B7