When vehicle loses wheel on Turnpike, client turns to Lawyer Referral Service

by Brian Knavish

The ACBA's Lawyer Referral Service places members of the community facing legal issues with attorneys qualified to handle their specific cases. In a three-part series, the Lawyers Journal is looking at the LRS from the point of view of a former LRS law clerk, LRS panel attorneys, and clients. This week: LRS clients.

Mindy and her family were preparing for a family vacation to Ocean City, Md., in July 2014. Before she hit the road, Mindy took her vehicle in for an oil change. The East Pittsburgh woman took her vehicle to a Monroeville-area service station. Employees at the station performed the oil change and suggested a tire rotation and 36-point checkup.

"As soon as I left from the oil change, I could tell something was not right," said Mindy, who declined to give her last name for this article. "There was a vibration, a noise. It was a new noise, and the vibration was nothing I had felt before the oil change."

She returned the next morning and notified the manager of the noise and vibration.

"I told him that I'm concerned for my safety," she said. "I told him, 'I have two little kids, and I'm going on a long trip tomorrow.' He walked around the vehicle and said 'Everything seems fine.' He didn't see anything."

Mindy left, and the noise and vibration persisted.

"After I left, it was still there. It seemed worse. I couldn't identify exactly where it was coming from, but it felt like the wheel."

She returned to the service station again to alert the manager of her concerns. She even pleaded for him to join her for a ride in the vehicle so she could point out the noise.

"I told him, 'I'm not comfortable. It sounds unsafe, and it feels unsafe.'"

The manager declined to join Mindy for a test drive, instead sending another employee with her.

"He listened and said, 'it's nothing to worry about. We'll look at it after you get back from vacation.' Then, the last thing the manager said before we left was, 'I'm not going to let you leave here in an unsafe situation. It's not like the wheels will come off when you're driving down the highway.'"

Unfortunately, those words proved to be prophetic.

"Wouldn't you know it, one wheel did fall off while we were on the Turnpike," she said.

The accident occurred near Somerset, and thankfully, Mindy, her husband and her two young children were not injured. But their vehicle was severely damaged, and it was towed to a nearby mechanic. Their vacation was delayed, and they spent the first night of their trip in a Somerset motel.

The new mechanic discovered that the lugnuts on the wheel – which were removed during the tire rotation – had not been tightened.

Mindy and her family needed to rent a car and drive back-and-forth to Somerset several times over the next few days while the repairs were made. Mindy's father took time off of work to assist with the logistics and babysitting during the ordeal.

Eventually Mindy and her family made it to Ocean City, halfway through the week, though they had paid for an entire week.

"It was half of a vacation ... and it was hard to enjoy the second half of the week after all of that," she said.

Mindy knew she had a legitimate reason to be upset. She knew she should not be held liable for the repairs, rental car fees, motel fees, partial vacation cost and more. But she didn't know where to turn.

"The service station was so incompetent," she said. "How many tire rotations do you think they do per week? How hard is it to check the lugnuts?"

She began searching online for attorneys but didn't want to simply pick a name from a hat. That's when she discovered the Allegheny County Bar Association's Lawyer Referral Service.

"I'm keeping Andrew Flenner's information for the future. He was awesome. He was very kind, and he listened to me. Hopefully, I won't have legal needs in the future, but in reality, I probably will. I know he does wills and things like that. I know I have an attorney I will go to before anyone else for anything that comes up."

Mindy described her situation to an LRS representative, who placed her with Andrew Flenner, an LRS panel attorney.
“I called him and got an immediate response,” she said. “Some attorneys I called (before turning to the Lawyer Referral Service) never even called back. But with Andrew, everything was immediate.”

Flenner advised her to “give them a chance to make it right,” Mindy explained. Working with Flenner, Mindy provided the service station with photographs, invoices, a list of expenses and other damages she endured because of the failure to secure the lugnuts.

In the end, the service station settled with Mindy, and all of her expenses were covered. She credits Flenner and the LRS for justice being served.

“We got the right person,” she said. “If I hadn’t called the service, I don’t know how this would have worked out. He was such a blessing after all of the chaos we went through.”

Beyond this lone situation, Mindy now has an attorney she can turn to for future legal needs.

“I’m keeping Andrew Flenner’s information for the future. He was awesome. He was very kind, and he listened to me,” she said. “Hopefully, I won’t have legal needs in the future, but in reality, I probably will. I know he does wills and things like that. I know I have an attorney I will go to before anyone else for anything that comes up.”

Beyond that, she’s already referring him to friends and family.

“I told my parents about him,” she said. “My stepmother was having all of these problems with dental work, it’s a nightmare. I told her, ‘I got so much help from this lawyer. You should check him out.’”

Lawyers or firms looking to become LRS panel attorneys should contact attorney Whitney Hughes, director of the LRS, at whughes@acba.org or 412-402-6703.