

Payout to brother of Kerang rail disaster victim

THE brother of a Kerang rail disaster victim has reached a six-figure settlement with the insurer of truck driver Christian Scholl.

Rodney McMonnies, of Wemen, sued Mr Scholl for nervous shock and loss of earnings that he suffered after his brother Geoff and niece Rose were killed in the June 2007 accident.

Eleven people died when a truck driven by Mr Scholl and a V/Line train collided at a level crossing near Kerang.

Robinvale's Geoff and Rose McMonnies were passengers on the train.

Mildura lawyer Shane Ryan confirmed yesterday he had reached an out-of-court settlement with Scholl's insurer, the Transport Accident Commission, before a trial

was due to begin in July.

The terms of the settlement are confidential, although it is believed to be a substantial payout.

Mr Ryan said Mr McMonnies was happy with the settlement and pleased that the litigation was over.

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Kerang payout

Brother of victim accepts crash deal

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It is the third claim Mr Ryan has settled and he has about 20 further claims pending.

A TAC spokeswoman confirmed the settlement and said there were another eight claims currently before them.

"The TAC is pleased to confirm that Rodney McMonnies' claim for civil damages has been settled through mediation," she said.

"We hope that the settlement provides some sense of closure for the McMonnies family who were affected by the Kerang train crash."

Last year, Mr Ryan won a payout reported to be between \$500,000 and \$750,000 for crash survivor Vicki Winkel.

Ms Winkel suffered horrific facial injuries and swelling to her brain and was unable to work again.

He has also won a settlement for Brett Stubbs, the father of victim Matthew Stubbs, 13 who was killed in the crash.

A Victorian Supreme Court jury last year found Mr Scholl not guilty of 11 counts of culpable driving causing death and eight



Shane Ryan



Vicki Winkel

counts of negligently causing serious injury.

Mr Scholl argued he didn't see the crossing warning lights flashing.

He said he stood on his brakes and veered his prime mover to the left to avoid it, but it was too late.

Sunraysia Daily last year reported on Merbein woman Vicki

Winkel's haunting memories of the Kerang rail crash.

Mrs Winkel said she can only remember fragments of the actual incident, when the truck slammed into a train near Kerang and left 11 dead and another 23 injured.

Husband Karl said he could not recognise his wife of 32 years after the accident. - with AAP