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HAYWARD

Families of women killed in crash sue

They claim Ford, rental firm knew van was unsafe

- [Henry K. Lee, Chronicle Staff Writer](#)

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The families of five Northern California women killed last year when their van rolled over during a trip to a religious retreat have sued Ford Motor Co. and Enterprise Rent-A-Car, saying the firms knew the vehicle was unsafe.

The lawsuit, filed in Alameda County Superior Court in Hayward, accuses the companies of trying to "increase corporate profits at the expense of human safety" by failing to warn the group about the dangers of the 2002 Ford Econoline E-350 that crashed in the Southern California desert.

The van, rented from an Enterprise branch in Hayward, rolled over about 2: 50 a.m. March 29, 2003, after the driver lost control on Interstate 15 near Barstow. The vehicle was one of three carrying people from various churches.

The crash killed Simone Botros, 21, of Monterey; Mary Demian, 21, of Fair Oaks; sisters Iman and Dalal Hanalla, 24 and 26, both of Salinas; and Christine Youssef, 17, of San Jose. The crash happened about 20 minutes before the group was to arrive at an annual retreat at a monastery in Yermo (San Bernardino County).

At a news conference Tuesday, Lucy Saeed, 22, of Antelope (Sacramento County), a passenger in the van, wept as she recalled the crash that left her with a broken pelvis and punctured lung and ended her dream of becoming a surgical technologist.

"I already lost my friends. I've lost some of my ability," said Saeed, who walks haltingly with the help of a cane. "I don't want people out there to lose any of their loved ones."

Dalia Demian, 28, held up a picture of her sister, Mary, who had hoped to join the Air Force before continuing with a career with NASA. "My parents and I will never see her big blue eyes, get to laugh with her and see her smile," she said through tears.

The lawsuit, which alleges negligence, product liability and breached warranties, said Ford and Enterprise had been warned by two federal safety agencies that the vans, when occupied by at least 10 people, had a higher rollover rate than those carrying fewer passengers.

The van that crashed was a "death trap," said the suit, because loading it with 15 people changed its center of gravity and increased its chances of rolling over, said the suit, filed July 15. But Ford has done nothing to retrofit their vans, the suit said.

"They put profits over lives," said Maryam Yousef, 20, of San Jose, a passenger who suffered a broken arm in the crash.

Ford spokeswoman Kathleen Vokes said rollovers involving 15-passenger vans are "very rare events." Citing a California Highway Patrol report, she said the crash was caused by driver fatigue.

The report said driver Peter Demian, 28, of Mountain View, who is not related to Mary Demian, was either distracted or fatigued at the time of the crash. It was "quite likely" that Demian had been awake "for at least 19 continuous hours," the CHP found, and that most of the 15 passengers were not wearing seat belts. Peter Demian has not been sued, attorneys said.

Enterprise spokesman Lee Broughton expressed sympathy to the families but declined to comment further. "With the matter now pending in the courts, we don't believe it is appropriate to otherwise comment," he said.

Enterprise now requires customers renting 15-passenger vans to sign a statement advising them of the risk. Joseph Babich, a Sacramento attorney for the plaintiffs, said that amounts to renters signing a form "acknowledging that (the vans) are dangerous."

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