

## **Fieger blames teens' deaths on Troy eatery**

### **But lawyer for TGI Friday's denies it gave alcohol to driver**

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The lawyer for the families of three Troy teens killed by a drunken driver in 1997 argued Monday that a jury should hold TGI Friday's responsible for serving alcohol to the driver.

With parents and relatives wiping tears from their faces, lawyer Geoffrey Fieger outlined his case in opening arguments in Oakland County Circuit Court, calling on the jury to lay blame on a restaurant that "promotes drinking in a party atmosphere."

But lawyers for TGI Friday's said Monday that there is no evidence that Lori Ann Smith, the driver of the car that hit the three teens, was drinking at the restaurant on Crooks Road in Troy that night.

Smith, 33, who was also killed in the accident, was driving north on Crooks just past midnight June 3 when she ran a red light at Long Lake and broadsided a car carrying Ashley Easterbrook, 18, and Andrew Stindt and Michael Jamieson, both 19.

Smith's blood-alcohol level was determined to be about 0.15 percent. The level at which someone can be convicted of drunken driving in Michigan is 0.10 percent.

The teens' families filed a civil suit against TGI Friday's and Smith's estate in 1998. State law makes anyone who knowingly sells or serves alcohol to a visibly intoxicated person liable in the event of injury or death.

"TGI Friday's has ignored its legal responsibility and moral obligation," said Fieger, who alleges that Smith was in TGI Friday's with John Banach, a coworker at the Northfield Hilton, before the accident. When the two left the restaurant, they headed to a Super 8 Motel, and later, Smith left the motel, heading up Crooks Road.

Bob Krause, a Detroit lawyer representing TGI Friday's, said Monday that there is no evidence that either Banach or Smith was in the restaurant that night, even though Banach has said in court records that they were. There is no bar tab receipt, however, and no one remembers seeing them at the restaurant, Krause said.

"Lori Smith in fact caused the death of these three youngsters," Krause said. "These tragic facts do not prove that TGI Friday's is responsible."

Testimony will resume today.

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