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Mallory's dad: 'No amount of money can replace her'

By Scott Steepleton

December 29, 2014 4:14 PM

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Through tears of grief, Matt Dies recalled the day the federal government put a seven-figure price on his daughter Mallory's life.

The parties had gathered at attorney Robert Stoll's office in Los Angeles in an effort to settle the federal wrongful death complaint filed by Mr. Dies and his wife, Raeona, over Raymond Victor Morua III's drunken hit-and-run a year ago this month on Anacapa Street that resulted in Mallory's death.

In one room, the attorney and his assistant son, Matt, sat with their clients, while in another room were Assistant U.S. Attorney Julie Zatz and her team.

A mediator shuffling between the two had the goal of coming up with an amount to compensate the Dies family for the loss of their 27-year-old daughter at the hands of Army veteran Mr. Morua, at the time an aide to Rep. Lois Capps.

Given the rules governing the process, punitive damages were never on the table and there would be no jury trial.

Instead, what was to be presented to U.S. District Court Judge Margaret H. Morrow was a proposed settlement that took into account the facts of the case.

As first reported by the News-Press on Dec. 28, the amount agreed to in that one day of negotiations was \$2.5 million, with the government admitting no liability.

"It's a little nerve-wracking because they make the first offer," Mr. Dies told the News-Press today. "Depending on what that number is, you know whether they are here to negotiate or just going pro forma. They came with a seven-figure number right from the start, which says they actually wanted to settle this case."

"No amount of money is a big enough amount of money," Mr. Dies, 56, continued through tears. "As I said at mediation, you can have all the money in the world on this side of the table and Mallory on the other side, and no amount of money can replace her. Every parent knows that."

The settlement was signed Nov. 1, three days before the mid-term election, as incumbent Mrs. Capps battled Republican challenger Chris Mitchum for the 24th District seat -- a race she ultimately won.

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Judge Morrow signed off on a stipulation dismissing the Dies' complaint on Nov. 4, Election Day.

The matter may be settled, but as reported earlier in the News-Press in a series by Peter Lance, questions remain.

What's happened with the FBI's probe of Mrs. Capps' district director, Mollie Culver, and a possible scheme to keep Army veteran Mr. Morua, 33, out of jail and get him into a U.S. Department of Veterans Affairs treatment facility in the days immediately following the collision?

As the series pointed out, it appears Ms. Culver forged Mr. Morua's signature on Department of Veterans Affairs documents.

The matter was handed over to the Department of Justice Public Integrity Section, which oversees the federal effort "to combat corruption through the prosecution of elected and appointed public officials at all levels of government," by André Birotte Jr., U.S. attorney for the Central District of California in Los Angeles, to whom it was forwarded from Santa Barbara County District Attorney Joyce Dudley.

But Mr. Birotte has since been appointed to a federal judgeship.

On May 28, after pleading guilty to vehicular manslaughter and an enhancement of fleeing the crime scene, Mr. Morua was sentenced to 20 years to life in state prison.

He says he was on the clock on Mrs. Capps' behalf the night he drank at a holiday party thrown by the weekly Santa Barbara Independent and later ran down Mallory Dies.

The Capps office disputes his contention.

In a related matter, the Dies settled with Mr. Morua for \$20,000.

Mr. Dies said a "very significant donation" from the settlements will go toward the Vow4Mal foundation, vow4mal.org, whose goal is reducing the damage done to the community "by the preventable plague of drinking and driving."

"This was never about money," said Mr. Dies. "Are we going to be able to do a lot of good with that money? Yes we are."

Mr. Dies credited Ms. Zatz for being the first federal employee involved in the matter to "show some integrity." He described her reaction to the information in Mr. Lance's series as "horrified."

"It's pretty unusual to receive hugs from (the opposition's) attorney at the end of something like this," he said. "Ms. Zatz gave both Raeona and I a hug. Her indication was that she had read Peter's series and we had been treated pretty horribly by the government."

"She's a human being. She felt for our loss. I have to give her a lot of respect."

On St. Patrick's Day -- a big party day -- Vow4Mal will work with local taxi companies, Uber and Lyft to help keep drunken drivers off the road.

"We're picking up everybody's ride home," said Mr. Dies. "That's pretty significant. If people want to make donations, great, if not, OK. We want to make a drinking holiday a safe holiday."

"Nobody's going to have an excuse to drink and drive on St. Patrick's Day if Vow4Mal has anything to say about it."

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