Wheeler Trigg O'Donnell

Mazda, Ford Prevail in Kentucky Rollover Case

News
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DENVER - A Kentucky jury recently ruled for the defendants in a Ford Ranger rollover case. The plaintiff was a ventilator-dependent quadriplegic whose case relied heavily on testing done with an ATI programmable steering machine. After three weeks of trial, the jury returned a defense verdict Sept. 28.

"The federal jury apparently was not persuaded by the plaintiff's so-called experts," said Paul F. Hultin, defendant's attorney and director at the Denver-based trial firm Wheeler Trigg O'Donnell.

The case, *Grimes v. Mazda*, U.S. District Court for the Western District of Kentucky at Bowling Green, involved the injury of Sharon Grimes, who was partially ejected and broke her neck in a 1995 single-vehicle rollover accident involving a 1994 Mazda B2300 4x2 pickup truck. Compensatory and punitive damages were sought.

Grimes asserted two claims against Mazda North American Operations and Ford Motor Company - (1) a design-defect claim involving the alleged phenomenon of inertial unlatching of the RCF67 side-release seat-belt buckle and (2) a handling-and-stability claim alleging that the Ford-designed pickup

truck had an unreasonable propensity to roll over. Mazda and Ford are engaged in a joint marketing venture for this vehicle.

Expert witnesses for the plaintiff on the seatbelt claim were Thomas Horton, Horton & Associates (Shelby Township, Mich.), and David Bliss, Automotive Safety Analysis Corp. (Rockville, Md.), and on the handling-and-stability claim were Edward J. Heitzman, Automotive Testing, Inc. (Pennington, N.J.), and John Marcosky, Gateway Service & Engineering (Wixom, Mich.). Plaintiff's accident reconstruction expert was Ronald Kirk (Raleigh, N.C.).

Expert witnesses for the defendants on the seatbelt claim were Terry M. Thomas, Thomas Engineering (Phoenix), and Jeffery Pearson, TRW Vehicle Safety Systems, Inc. (Washington, Mich.), and on the handling-and-stability claim Donald F. Tandy, Carr Engineering, Inc. (Houston).

In addition to Hultin, defense counsel for Mazda and Ford included Bryan D. Cross, Wheeler Trigg O'Donnell, and Charles E. English, Jr., English, Lucas, Priest & Owsley (Bowling Green, Ky.). Attorneys for the plaintiff were Thomas E. Carroll and Charles Pharis (Monticello, Ky.).

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