

Hartford-New Britain Judicial District. CT

Superior Court

Hartford

Products Liability - Automobile - Airbag Deployment

Verdict: Defense verdict

Judge: Samuel H. Teller

Date of Verdict: 9/10/97

Plaintiff's Attorney(s): Francis C. Vignati, East Hartford

Defendant's Attorney(s): Michael A. Fitzhugh, Boston

Age: 69

Sex: F

Marital Status: Widow

Occupation: Homemaker

Facts: Plaintiff owned a 1992 Mercury Grand Marquis auto manufactured by Defendant Ford Motor Company. She was backing into her driveway when she accidentally shifted from reverse to drive. The accelerator allegedly stuck, causing the automobile to race forward. Plaintiff crashed into a mobile home, and her airbag deployed, injuring her neck.

Plaintiff alleged that: (1) the airbag improperly deployed, injuring her neck; (2) the airbag failed to deflate after deployment, lifting her off the seat, smothering her, and exacerbating the injuries sustained during deployment; and (3) the airbag was defectively designed and manufactured.

Defendant contended that plaintiff lost consciousness, causing her to step on the accelerator pedal, and that the airbag functioned as intended. All rights to the use and reproduction of this case summary are reserved to JAS Publications, Copyright © 2001.

Alleged Injury: Soft tissue neck injuries resulting in 15% permanent partial disability of cervical spine and traumatically-induced positional vertigo (dizziness). Plaintiff claimed \$6,500 in medical specials and \$5,000 in property damage to automobile.

Jury Deliberations: 1.25 hours

Insurance Carrier: Self-insured

Settlement Efforts: Last Demand: \$130,000 Last Offer: None

Expert Witnesses:

Plaintiff: Lawrence Greenberg, M.D. - Otolaryngologist - Hartford CT
Wayne Rawling, M.D. - Internist - Hartford CT

Defendant: Bruce Roth - Engineer - Dearborn MI
John Kueton, M.D. - Otolaryngologist - New Haven CT
Thomas C. Banever, M.D. - Trauma Surgeon - Hartford CT

Case Caption: Mary Tracy v. Ford Motor Corp.

Case Number: CV95-0556007

Editor's Note: The Court directed out plaintiff's design defect claim. Per defendant's counsel, plaintiff was not credible; she initially claimed the impact was minimal and, therefore, the airbag improperly deployed. Defendant proved the impact was not minimal. In addition, plaintiff denied ever having had vertigo. Defendant introduced medical records which revealed plaintiff had had vertigo in the past. Case is closed.