

Products Liability Law Daily Wrap Up, CLASS ACTIONS AND MULTI-DISTRICT LITIGATION—MOTOR VEHICLES—S.D.N.Y.: Bellwether plaintiff in GM ignition switch litigation withdraws all claims, (Jan. 22, 2016)

By Pamela C. Maloney, J.D.

Robert S. Scheuer, plaintiff in one of the bellwether trials involving allegedly defective ignition switches installed on certain vehicles manufactured by General Motors LLC, voluntarily dismissed with prejudice all claims against the automaker in the multi-district litigation pending in a federal district court in New York. The stipulation of dismissal comes on the heels of GM's motion to add witnesses and submit evidence that would demonstrate that the plaintiff allegedly had committed a fraud on the court (*In re: General Motors LLC Ignition Switch Litigation (Scheuer)*, January 22, 2016, Furman, J.).

Robert Hilliard, of Hilliard Muñoz and Gonzales LLP, who serves as co-lead counsel representing owners of General Motors vehicles in the bellwether trials, issued a [statement](#) saying "To have any trial end in such an unexpected and unforeseen way is disappointing. Especially one such as this where the concerns regarding the underlying safety of certain GM's vehicles are legitimate and real. A jury's decision regarding the existence of a defect will have to wait until the next trial. I'm looking forward to continuing this MDL litigation and getting ready for the next case."

Co-Counsel, Steve Berman of Hagens Berman, added "Today, the plaintiff has chosen to dismiss his case. Notwithstanding this decision, we believe the evidence against GM remains strong and look forward to continuing to represent other plaintiffs in this landmark litigation. Until this point in the trial, we were entirely confident in the outcome, and it is nothing short of a disappointment that this happened," he said. "We believe that the fact of the matter remains: that GM is still at fault for a deadly defect that it attempted to conceal."

Richard C. Godfrey, P.C. of Kirkland & Ellis, who represents General Motors, issued a short statement, stressing that "We said all along that each case would be decided on its own merits, and we had already started to show by strong, clear and convincing evidence to the jury that the ignition switch didn't have anything to do with Mr Scheuer's accident or injuries. The apparent lies the plaintiff and his wife told the jury ended the trial early, and we are pleased that the case is over without any payment whatsoever to Mr. Scheuer."

The case Nos. are 14-MD-2543 (JMF) and No. 14-CV-8176.

Attorneys: Robert Hilliard (Hilliard Muñoz and Gonzales LLP) and Steve W. Berman (Hagens Berman) for Robert S. Scheuer. Elizabeth J. Cabraser (Lief Cabraser Heimann & Bernstein, LLP) and Richard C. Godfrey, P.C. (Kirkland & Ellis LLP) for General Motors LLC.

Companies: General Motors LLC

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