

[Products Liability Law Daily Wrap Up, INDUSTRY NEWS—JURY VERDICT —MOTOR VEHICLE EQUIPMENT: Seatbelt’s defective design results in \\$55.3 million jury verdict for driver in rollover accident, \(Jul. 2, 2014\)](#)

Products Liability Law Daily Wrap Up

[Click to open document in a browser](#)

By Susan Lasser, J.D.

A jury in Philadelphia has returned a \$55.3 million verdict for a driver who became quadriplegic as a result of a rollover accident in which his seatbelt failed, resulting in his head striking the roof of the vehicle, according to a [press release](#) issued by the driver’s attorneys (*Martinez v. Honda Motor Co., Ltd.*, June 26, 2014, New, S.).

Background. The driver, Carlos Martinez, on May 8, 2010, was severely injured when the 1999 Acura Integra he was driving rolled over. A nail in one of the car’s tires allegedly caused the rollover. Martinez’s [complaint](#) asserted that he was wearing his seatbelt at the time of the accident, and alleged that during the rollover, his restraint system failed to provide “meaningful occupant protection.” As a result of the accident, Martinez’s spine was fractured (a “C6/C7 fracture dislocation”) and his injuries rendered him paralyzed with ongoing pain and suffering, the complaint stated.

Martinez filed suit against Honda Motor Co., Ltd., the manufacturer of his vehicle, in April 2012. He asserted claims for strict liability and negligence, alleging that “[t]he vehicle was defective and unreasonably dangerous to the ultimate users, operators or consumers, including ... Martinez, when it was designed, manufactured, tested, assembled, marketed, distributed, and sold” by Honda. Reasons for this condition included that the vehicle was not “designed, manufactured, tested, nor assembled with a restraint system that would adequately protect and/or restrain its occupants to its seats during an accident.” The complaint also cited design and manufacturing defects relating to the air bag system and the seatbelt pretensioners, such that these did not activate during the rollover accident, among other vehicle defects. Martinez further alleged that Honda failed to adequately warn of the “hazardous conditions” described in the complaint.

Jury verdict. The trial lasted 10 days in the Philadelphia Court of Common Pleas, and the jury rendered a unanimous \$55,325,714 [verdict](#) on June 26. The jury determined that the car’s seatbelt was defectively designed and that Honda failed to use a safer, alternative design and failed to provide adequate warnings to consumers about the Acura’s defective design, according to the law firm’s press release. Specifically, the jury was asked whether it found that the design of the driver’s seat belt in the subject vehicle was defective in its design and that there was an alternative, safer practicable design; whether the defective design was a factual cause of any injuries suffered by Martinez solely attributable to the impact that occurred when the roof of the car hit the ground; whether it found that the vehicle at issue was defective because of Honda’s failure to warn; and whether that failure to warn was a factual cause of any injuries suffered by Martinez solely attributable to the impact that occurred when the roof of the car hit the ground. The jury answered yes to all of these questions.

The jury’s award included \$25 million for Martinez’s past and future non-economic damages, over \$14.6 million for his future medical expenses, \$15 million for his wife’s loss of consortium, and \$720,321 for Martinez’s past and future lost earnings and earnings capacity. Stewart J. Eisenberg, one of Martinez’s attorneys, stated that it was the manufacturer’s “failure to alert the public” as to the vehicle’s defective design that caused Martinez’s injuries. He further stated, “This incident could and should have been avoided by a safer design that already existed. Through this verdict, we are hoping to prevent such unnecessary and devastating injuries from happening to others.”

The case number is [3763](#).

Attorneys: Stewart J. Eisenberg (Eisenberg, Rothweiler, Winkler, Eisenberg & Jeck PC) for Carlos Martinez.
Robert A. Bradfield and Christopher G. Mavros (Campbell Campbell Edwards & Co.) for Honda Motor Co., Ltd.

Companies: Honda Motor Co., Ltd.; American Honda Motors Co., Inc.

AllNews: IndustryNewsStory DamagesNews DesignManufacturingNews WarningsNews MotorVehiclesNews
MotorEquipmentNews PennsylvaniaNews