



News Release

JURY FINDS IN FAVOR OF PLAINTIFF IN TOYOTA SUDDEN UNINTENDED ACCELERATION CASE

October 25, 2013

Jury awards families of women killed, injured in runaway Toyota Camry accident

OKLAHOMA CITY, Okla. (October 25, 2013) – An Oklahoma County, Okla., jury returned a verdict in favor of Jean Bookout and the family of Barbara Schwarz. Jean Bookout was seriously injured and Barbara Schwarz was killed when Mrs. Bookout's Toyota Camry surged out of control and crashed. The jury found the Toyota software defective and that Toyota acted in reckless disregard of the rights of plaintiffs. The plaintiffs proved that the software in the Toyota Camry that controlled the electronic throttle control system was poorly designed and did not conform to industry standards. Toyota blamed the thousands of incidents of sudden unintended acceleration (SUA) first on floor mats and then on sticky pedals. However, according to Toyota documents and testimony before Congress, Toyota's floor mats and sticky pedals only accounted for 16 percent of the SUA complaints. This was the first personal injury and wrongful death case to go to trial that blamed Toyota SUA on electronic throttle control defects and lack of a brake override system. Judge Patricia G. Parrish presided over the trial. Lawyers for the Plaintiffs included Beasley Allen attorneys Jere L. Beasley, J. Cole Portis, R. Graham Esdale and Benjamin E. Baker as well as Larry Tawwater of The Tawwater Law Firm in Oklahoma City.

"We are fully convinced that Toyota's conduct from the time the electronic throttle control system (ETCS) was designed has been shameful" said Beasley Allen attorney, J. Cole Portis. "We appreciate that the jury had the courage to let Toyota and the public know that Toyota was reckless. Hopefully, Toyota will recall all of their questionable vehicles and install a computer that will be safe."

The jury returned a verdict of \$3 million for the plaintiffs. Following the verdict, Toyota approached counsel for plaintiffs regarding a settlement. The parties were able to resolve the case for a confidential amount before the jury considered the amount of punitive damages. Safety advocates have long contended the SUA problem is related to a defect in Toyota's electronic throttle control software. Beasley Allen was one of the first law firms in the country to file a lawsuit against Toyota alleging that SUA caused a personal injury and wrongful death.

About Beasley Allen Law Firm

Headquartered in Montgomery, Alabama, Beasley Allen is comprised of 70 attorneys and more than 200 support staff. Beasley Allen is a national leader in civil litigation, with verdicts and settlements of over \$21 billion. For more information about our firm, please visit our website at www.beasleyallen.com.

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