

[Products Liability Law Daily Wrap Up, INDUSTRY NEWS—JURY VERDICT —MOTOR VEHICLES—Ga. Super.: Jury orders Chrysler to pay \\$150 million for death of boy in Jeep Grand Cherokee, \(Apr. 8, 2015\)](#)

Products Liability Law Daily Wrap Up

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By Susan Lasser, J.D.

Last week, a Bainbridge, Georgia jury rendered a \$150 million verdict for the parents of a 4 year-old boy who was killed in a car fire. The jury found Chrysler Group, L.L.C. (Chrysler) liable for their defectively designed Jeep Grand Cherokee, according to an April 3rd [blog posting](#) by Butler Tobin, the law firm representing the parents and the child's estate (*Walden v. Chrysler Group, L.L.C.*, April 2, 2015).

Background. In March 2012, Remington (Remi) Cole Walden was a backseat passenger in a 1999 Chrysler Jeep Grand Cherokee driven by his aunt when the vehicle was rear-ended. According to the [complaint](#) filed by Remi's parents, James Bryan Walden and Lindsay Newsome Strickland, as a result of the rear impact, the rear-mounted gas tank on the Jeep Grand Cherokee ruptured, allowing gasoline to escape. The gasoline ignited, and the Jeep Grand Cherokee and Remi were engulfed in flames.

Among other allegations, the complaint asserted that the placement of the gas tank made the vehicle defective in its design. The parents also alleged that the manufacturer knew that the gas tank was located in a dangerous position, vulnerable to rear-end impact. Moreover, in 2005, Chrysler moved the gas tank away from the rear of the Jeep Grand Cherokee to a safer, "midship" location. At the time of the accident, every passenger car sold in the United States by Chrysler had its gas tank in the "midship" location and Chrysler sold no passenger cars with rear gas tanks, the complaint alleged. The parents asserted that although Chrysler knew it had a duty to warn the public as to their Jeeps with gas tanks placed in a dangerous location and the possibility of a fire in the event of a rear-end collision, the manufacturer failed to do so. The complaint additionally asserted that Chrysler's willful, wanton, and reckless conduct proximately caused the child's burn injuries and death.

Jury verdict. After two hours of deliberations, the jury found that the vehicle was defective and dangerous as designed, and awarded Remi's parents \$150 million. According to the law firm's post, the parents' trial was the first trial and first verdict against Chrysler (Chrysler Group LLC, now known as FCA US LLC) for a rear gas tank lawsuit. The law firm's release noted that federal documents show that at least 75 people have died in fuel-fed fire tank explosions. Chrysler admitted that the gas tank caused the fire that killed Remi and only called one witness from Chrysler, Chief Operating Officer Mark Chenoby. He refused to admit that if an automaker knows of a danger, it has a duty to warn of that danger. FCA Chairman, Sergio Marchionne was deposed in the litigation and stated that under federal minimum compliance standards, compliance with Federal Motor Vehicle Safety Standard 301 was no defense; that the federal standards were only minimum standards; and that compliance with a minimum standard is not sufficient, according to the blog posting.

The case is [No. 12-CV-472](#).

Attorneys: Jeb Butler (Butler Tobin LLC) for James Bryan Walden. Brian Westenberg (Miller Canfield Paddock & Stone), Erika Z. Jones (Mayer Brown LLP) and M. Diane Owens (Swift Curne McGhee & Hiers LLP) for Chrysler Group LLC.

Companies: Chrysler Group LLC

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