

[Products Liability Law Daily Wrap Up, JURY VERDICT—MOTOR VEHICLES—Pa.Ct.Com. Pl.: Faulty seatbelt design and failure to warn claims result in nearly \\$1B verdict in car rollover case, \(Nov. 2, 2023\)](#)

Products Liability Law Daily Wrap Up

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By Robert B. Barnett Jr., J.D.

The jury loaded up on punitive damages after concluding that Mitsubishi designed its vehicle restraint system with reckless indifference to the safety of its users.

A Philadelphia jury has awarded more than \$156 million in compensatory damages and another \$800 million in punitive damages to a paralyzed driver whose Mitsubishi 3000 GT automobile partially ejected him in a rollover accident despite wearing his seatbelt, causing catastrophic injuries to his spine, neck, head, and body. The jury found that Mitsubishi was guilty of a failure to warn of the dangers of the safety restraint and a flawed design of the restraint system, including that a safer and more practical seat belt system existed and that Mitsubishi was recklessly indifferent to the safety of its drivers when it failed to employ the alternative system ([Amagasu v. Mitsubishi Motors North America, Inc.](#), October 30, 2023).

Background. A driver was rendered a quadriplegic when his Mitsubishi automobile ejected him during a rollover accident after he lost control, despite wearing his seatbelt. During the rollover, the driver was partially ejected, possibly causing him to interact with the roof.

The driver's representatives [sued](#) Mitsubishi and Fred Beans, the online car dealer, in Philadelphia County, asserting products liability claims for strict liability, negligence, and loss of consortium. They sought damages for the faulty manufacture, design, testing, assembly, marketing, and selling of the automobile.

On October 30, 2023, following a trial, the jury found for the driver on both the faulty design and faulty warning theories. More specifically, the jury found that: (1) the vehicle restraint system was unreasonably dangerous and therefore defectively designed under either the consumer expectation test or the risk-utility standard; (2) an alternative driver seat belt system existed that was safer and more practicable under the circumstances, which would have prevented or reduced the injuries; (3) Mitsubishi failed to provide proper warnings and instructions about the vehicle restraint system; and (4) the occupant restraint system was a factual cause of the injuries.

The jury awarded compensatory damages as follows: (1) just under \$1 million for past medical expenses; (2) just over \$12.5 million for future medical expenses; (3) just over \$700,000 for past lost earnings; (4) just over \$2.27 million for future loss of earning capacity; (5) \$20 million for past non-economic damages; and (6) \$120 million for future non-economic damages.

The jury then awarded further compensatory damages to the driver's wife, as follows: (1) \$6 million for past loss of consortium; and (2) \$14 million for future loss of consortium.

Finally, the jury concluded that Mitsubishi's seat belt system design was outrageous (meaning that it was malicious, wanton, willful, oppressive, or recklessly indifferent to the interests of others), and the jury awarded another \$800 million in punitive damages.

The case is No. [02406](#).

Attorneys: Stewart J. Eisenberg, Nancy J. Winkler and Daniel J. Sherry, Jr. (Eisenberg, Rothweiler, Winkler, Eisenberg & Jeck, PC) for Soomi Amagasu.

Companies: Fred Beans Family of Dealerships; Fred Beans Ford, Inc.; Fred Beans Ford, Inc. d/b/a Fred Beans Family of Dealerships; Fred Beans Kia of Limerick; Fred Beans Motors of Limerick, Inc.; Fred Beans Motors of Limerick, Inc. d/b/a Fred Beans Kia of Limerick; Mitsubishi Motors North America, Inc.; Mitsubishi Motors Corp.

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