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NEWS

Pa. Jury Awards Nearly \$1B in Defective Seatbelt Case



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Personal Injury



Max Mitchell
Bureau Chief

A Philadelphia jury has handed up a more than \$976 million verdict in a lawsuit over a defective seatbelt that left a man quadriplegic.

A jury handed up the verdict Monday afternoon, awarding more than \$176.5 million in compensatory damages to plaintiffs Francis and Soomi Amagasu and \$800 million in punitive damages against the lone defendant at trial, Mitsubishi Motors Corp.

"This speaks volumes about what the jury believed about this product, not only their defense, but their defiance," Wesley Ball, of Kaster Lynch Farrar & Ball, said.

Ball tried the case, along with Kyle Farrar of Farrar & Ball, and Dan Sherry Jr., Nancy Winkler and Jessica Colliver of Eisenberg, Rothweiler, Winkler, Eisenberg & Jeck.

Counsel for Mitsubishi, Campbell Conroy & O'Neil, declined to comment about the verdict.

The case, which was tried before Judge Sierra Thomas Street of the Philadelphia Court of Common Pleas, focused on arguments that Mitsubishi failed to properly test the safety of its seatbelt restraint system in its 1992 model 3000GT sports car.

According to the plaintiffs, the seatbelt had been improperly designed to give four inches of slack, which, in Francis Amagasu's case, allowed him to strike his head during a collision, causing him to become a quadriplegic. The plaintiffs further argued that Mitsubishi failed to perform necessary rollover testing on the seatbelt safety system.

During the punitive damages phase on the trial, Ball also contended that the car maker had been reckless in its design and said the jury needed to award further damages to punish and deter Mitsubishi from similar conduct.

“This will continue, and you have the power to make it stop,” he told the jury.

Mitsubishi counsel William Conroy, however, countered that there was no evidence to suggest Mitsubishi had been willful in its conduct, but had instead complied with all industry and government standards.

“How is it that this device is so malicious, but the same design concept was used throughout the industry and even today?” Conroy asked the jury.

The jury returned a unanimous punitive damages verdict after about 20 minutes of deliberations.

According to Farrar, the defense had several experts explaining the alleged reasoning behind the seatbelt design, but, he said, the jury applied “base common sense” that having slack in the seatbelt was dangerous. Further, he said, the plaintiffs made good use of the owner’s manual, which had said there should be no slack in a seatbelt.

“Everywhere they could find a defect, they found it,” Sherry added.

Eisenberg Rothweiler and Farrar & Ball attorneys have tried numerous crashworthy cases, and have several more trials against various car manufacturers coming up in the next few months.

When asked why the jury in Amagasu’s case awarded such a large verdict, Winkler noted how Amagasu, who was in the courtroom Monday, was very well-received by the jurors.

“He comes across amazing,” Winkler said. “He just wants to go home to his wife and son.”

The jury’s compensatory award included \$140 million in noneconomic damages, as well as \$20 million in loss of consortium.

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