

# DEFECTIVE SEAT IN SUV CAUSES PERMANENT INJURIES

**In spite of safely wearing a seatbelt, driver's faulty seat put her in danger during crash**

In July 2000, Donna Grimes purchased a 2000 Ford Explorer and assumed she was getting a properly designed vehicle that would serve her well for safe and reliable transportation. A little over a year later, on October 30, 2001, she found that she was wrong. Driving her Ford Explorer south on Dixie Highway in Deerfield Beach, Florida, Donna was wearing her seatbelt with shoulder harness and operating the vehicle in a proper and reasonable manner. She came to a stop near the entrance to Pioneer Park. Suddenly, an automobile driven by Charles Kravitz rear-ended Donna's Ford Explorer. At the impact, the seat reclining mechanism failed and her seatback collapsed onto the rear seat. As a result, Donna was thrown backwards, striking her head and shoulder on the rear seatback. In an instant, the active and athletic 60-year-old suffered permanent damage to the C5-6 level of her spine. She is now a quadriplegic confined to a wheelchair. She will require round-the-clock nursing care for the rest of her life.

Donna Grimes and her husband Richard sought representation by SDSBS attorney David White, and co-counsel James Lowe, a partner in Lowe Eklund Wakefield & Mulvihill in Cleveland, Ohio. The attorneys brought action against Ford Motor Company and Wallace Ford, LLC d/b/a Maroone Ford of Delray for knowingly

designing, manufacturing, and selling a vehicle that was in a dangerous and defective condition.

Following a six-week trial in the Circuit Court of the Fifteenth Judicial Circuit in Palm Beach County, the jury deliberated for almost two days and on May 31, 2007 found in favor of the plaintiffs. The jury found that Ford Motor Company and Maroone Ford of Delray were liable for selling a defective vehicle. The Grimeses were awarded \$10,373,552. "We trust our lives to automobile makers every time we set foot inside one of their vehicles," said David White. "It is hoped that, at those moments where we need our safety restraints the most, we can rely on them to function properly. But in this case, a jury unequivocally agreed that Ford allowed a vehicle with defects to enter the market." ■



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NOTE: The accounts of recent trials, verdicts and settlements contained in this newsletter are intended to illustrate the experience of the firm in a variety of litigation areas. Each case is unique, and the results in one case do not necessarily indicate the quality or value of any other case. Omitting clients' names and/or defendants' names are the result of requests for anonymity.