

# Two companies settle product liability case

*Driver filed lawsuit over seat and seat belt*

Even though she was wearing a seat belt, a driver was thrown from her minivan after an accident March 22, 2007.

Zelda Ball was stopped in a construction zone in Wayne County when a vehicle that had been weaving in and out of traffic rear-ended her 1993 Chrysler minivan.

Ball's seat back collapsed, and she was ejected from the minivan. The top of her head was literally "scalped" from her eyebrows to the back of her head, either by a window or by contact with the ground, said her lawyer, Chad C. Lucas of Kuhlman

Law Firm.

The other driver was ticketed for careless driving. An auto accident claim against the other driver was settled, Lucas said.

Since Chrysler had filed for bankruptcy, the plaintiff made product liability claims against Magna, the supplier of the seat, and Honeywell, the supplier of the seat belt.

Ball alleged that the seat and seat belt were defective and shouldn't have allowed her to be ejected in a moderate rear-end collision.

The companies denied that the seat and seat belt were defective and contended

## ■ Confidential settlement

### PRODUCT LIABILITY

■ **Court:** U.S. District Court for Eastern District of Missouri

■ **Case Number/Date:** 4:09CV849/April 22, 2010

■ **Judge:** Henry E. Autrey

■ **Special Damages:** \$63,436 in past medical bills

■ **Caption:** Zelda Ball v. Magna Seating of America Inc. and Honeywell International Inc.

■ **Plaintiff's Attorneys:** Chad C. Lucas, Bradley D. Kuhlman, Kuhlman Law Firm, Kansas City; Robert M. Ramshur, Ramshur Law Office, Piedmont

■ **Defendants' Attorneys:** Douglas Robinson, Shook, Hardy & Bacon, Kansas City; Douglas Ghertner, Slagf Bernard & Gorman, Kansas City

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they built the components to specifications Chrysler supplied.

The case settled with both defendants for confidential amounts at mediation.

Defense attorney Douglas Robin of Shook, Hardy & Bacon, could not be reached for comment.

— Cathy King