

Jury: Toyota Not Liable For Death Of U.S. Woman

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The Associated Press

LOS ANGELES (AP) -- A verdict clearing Toyota Motor Corp. in the death of a California woman whose 2006 Camry apparently accelerated despite her efforts to stop could bode well for the Japanese automaker as it faces similar cases.

Jurors deliberated for about five days before reaching their decision and concluding the vehicle's design didn't contribute to the death of 66-year-old Noriko Uno, who was killed in August 2009 when she was struck by another motorist, sending her vehicle into a telephone pole and tree.

The outcome of the so-called "bellwether" case could influence whether Toyota should be held responsible for sudden unintended acceleration as part of a larger group of lawsuits filed in state courts. Another case began in Oklahoma this week and there are more than 80 similar lawsuits filed in U.S. state courts.

Uno's family was seeking \$20 million in damages, claiming that the crash could have been avoided if Toyota had installed a brake override system. The jury found the motorist, now 90 years old, who ran a stop sign and hit Uno should pay the family \$10 million, plaintiffs' attorney Garo Mardirossian said.

Toyota blamed driver error for the crash.

The company recalled millions of vehicles worldwide after drivers reported some Toyota vehicles were surging unexpectedly. It already has agreed to pay \$1 billion in lawsuits filed in federal courts.

"As an important bellwether in these consolidated state proceedings, we believe this verdict sets a significant benchmark by helping further confirm that Toyota vehicles are safe with or without brake override," Toyota spokeswoman Carly Schaffner said.

Mardirossian argued Toyota made safety an option instead of a standard by not installing a mechanism to override the accelerator. He added the automaker also failed to warn customers what to do if an accelerator became stuck.

Toyota defended its vehicles, saying it had a state of the art braking system and argued an override component would not have prevented the crash. The company's lawyers said Uno likely mistook the gas pedal for the brake.

Toyota has blamed drivers, stuck accelerators or floor mats that trapped the gas pedal for the sudden unintended acceleration claims that led to the massive recall of its vehicles.

The verdict adds to the list of the automaker's court victories. In 2011, a federal jury

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in New York found the automaker wasn't responsible for a 2005 crash that the driver blamed on the floor mats or defects with the electronic throttle system.

The Toyota litigation has gone on parallel tracks in state and federal court, with both sides agreeing to settlements so far. A federal judge in Orange County is dealing with wrongful death and economic loss lawsuits that have been consolidated.

Federal lawsuits contend that Toyota's electronic throttle control system was defective and caused vehicles to surge suddenly. Plaintiffs' attorneys have deposed Toyota employees, reviewed software code and pored over thousands of documents.

Toyota has denied the allegation, and neither the National Highway Traffic Safety Administration nor NASA found evidence of electronic problems. A trial in one of the lead cases is scheduled for early November.

Mardirossian said the evidence he presented at trial may help other pending cases against Toyota.

"We were able to demonstrate how their system can fail without a brake override system," he said. "We found some chinks in Toyota's armor. I think the next case will be a winner."

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