

## **SNELL & WILMER OBTAINS DEFENSE VERDICT FOR FORD AND MAZDA**

**LAS VEGAS (November 19, 2009)** — Snell & Wilmer L.L.P. attorneys Vaughn Crawford (Phoenix office), Dan Rodman (Orange County office) and Jay Schutttert (Las Vegas office) recently obtained a defense verdict in favor of Ford Motor Company (“Ford”) and Mazda Motor Corporation (“Mazda”) in a case alleging a seatback defect in a 1995 Ford Probe. The driver (“Plaintiff”) of the Ford Probe was rendered a paraplegic after his car was rear-ended, went off the road, hit a boulder and overturned. The case was tried in Washoe County District Court in Reno, Nevada.

Plaintiff claimed the Ford Probe, which was the product of a joint venture between Ford and Japan-based Mazda, had a defect in its driver’s seat that caused the seat to collapse when the Probe was struck from the rear by a drunk driver. Plaintiff claimed that the seat collapse caused him to ramp up his seatback and be out-of-position during the subsequent frontal collision with the boulder, which allegedly caused his spinal cord injury. Plaintiff also asserted a negligence claim against the driver who rear-ended him.

The trial court precluded evidence that the other driver was drunk at the time of the crash, and that the Ford Probe, including its seat, complied with all applicable Federal Motor Vehicle Safety Standards.

The Snell & Wilmer defense team presented evidence that the 1995 Ford Probe was well designed and tested, that the seatback did not collapse during the accident as Plaintiff claimed, that the seat yielded rearward an appropriate amount as intended during the crash to absorb the energy of the rear-end collision, and that Plaintiff would have suffered the very same injury during the second collision with the boulder regardless of the position of the Probe’s seatback.

After deliberating for approximately four hours following a three-week trial, the eight-person jury returned a verdict in favor of Ford and Mazda, finding that the Ford Probe was not defective. The jury also returned a verdict against the other driver, awarding the Plaintiff approximately \$8.9 million in damages.

### **About Snell & Wilmer L.L.P.**

Founded in 1938, Snell & Wilmer is a full-service business law firm with more than 400 attorneys practicing in eight offices throughout the western United States and in Mexico, including Phoenix and Tucson, Arizona, Los Angeles and Orange County, California; Denver, Colorado; Los Cabos, Mexico; Las Vegas, Nevada; and Salt Lake City, Utah. The firm represents clients ranging from large, publicly traded corporations to small businesses, individuals and entrepreneurs. For more information, visit [www.swlaw.com](http://www.swlaw.com).