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SNELL & WILMER EARNS ANOTHER DISMISSAL IN ARIZONA

PHOENIX (November 4, 2010) - Snell & Wilmer L.L.P. announced today that it succeeded in defeating product defect claims leveled against Ford Motor Company and Sanderson Ford, Inc. (collectively, "Ford"). An Arizona judge dismissed the plaintiff insurance company's claims after finding it willfully destroyed evidence that irreparably prejudiced Ford. The October 18, 2010 decision came after 18 months of litigation and just two weeks before trial.

Western Agricultural Insurance Company v. Ford Motor Company and Sanderson Ford, Inc. was heard by the Honorable Ralph M. Hess in Yavapai County, Arizona Superior Court. The case concerned a March 2007 collision and rollover crash, in which a family suffered minor injuries but significant damages to their Ford F-250 truck and toy hauler trailer filled with ATVs. The family's insurance company, Western Ag, paid the damages and then sued Ford to recoup its money. Western Ag hired a mechanic who found a fractured steering component. Western Ag claimed that the component fractured before the crash, causing the driver to lose control.

Snell & Wilmer partner Brad Petersen and associates Sean O'Hara and Amanda Sheridan defended the case for Ford. Ford contended that the steering component was robust and could withstand greater forces than were present. Rather, the fracture was a result of the crash. Further, there was a problem with the way the trailer was attached or loaded that caused the trailer to sway and the driver to lose control. Ford could not specifically identify the initial problem because Western Ag salvaged the trailer before giving Ford or its expert engineers an opportunity to inspect the trailer.

The Snell & Wilmer defense team proved Western Ag breached its duty to preserve evidence under Arizona law. Judge Hess found that Western Ag willfully destroyed the trailer and that the destruction irreparably prejudiced Ford's defense. As a result, Judge Hess sanctioned Western Ag and dismissed all claims against Ford and Sanderson Ford. In doing so, Judge Hess expressly relied on the *State Farm v. Broan-NuTone* case, in which Snell & Wilmer attorneys Petersen and O'Hara previously won dismissal for another firm client on similar grounds.

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 six offices throughout the western United States, including Phoenix and Tucson, Arizona; Los Angeles and Orange County, California; Denver, Colorado; Las Vegas, Nevada; and Salt Lake City, Utah. The firm represents more than 10,000 clients ranging from large, publicly traded corporations to small businesses, individuals and entrepreneurs. For more information, visit www.swlaw.com.

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