

Ford Prevails In Suit Over Taurus Rear-End Design

By **Emily Field**

Law360, New York (April 17, 2015, 8:43 PM ET) -- A California state jury found in favor of Ford Motor Co. in a suit seeking \$18 million that alleged that the defective rear structure of a Ford Taurus caused a 13-year-old boy's brain damage in a car accident in 2000.

After a seven-week trial in Stanislaus County Superior Court in Modesto, the jury returned a 10-2 verdict in favor of Ford on April 10, according to its defense counsel at Shook Hardy & Bacon LLP. Plaintiff Irving Verduzco had claimed that the rear structure of the 1993 Ford Taurus couldn't withstand the rear-end collision by a 1999 Ford Explorer that caused his skull fracture and traumatic brain injury, according to court documents.

Verduzco was riding in the back seat of his cousin's car when they were rear-ended by the SUV while they were stopped waiting to make a left turn, according to the complaint filed in 2013. The higher front bumper of the SUV overrode the trunk and rear section of the Taurus, crushing the back seat and Verduzco, according to the complaint.

Verduzco claimed that Ford didn't do adequate safety testing for rear-end collisions and that his brain injury was caused by the combination of a defective rear structure and the front seat's excessive deformation.

The complaint says Ford should have warned consumers about the design, as rear-end collisions are the most common type of car accidents in the U.S. and the Ford Explorer is the best-selling SUV in the country.

According to the firm, the speed of the SUV and the biomechanical reconstruction of the accident were fiercely contested and Verduzco's counsel ran a number of car crash tests to support their theories.

Ultimately, according to the firm, the jury sided with Ford's argument that Verduzco's injuries were caused by an aftermarket speaker box and that the Taurus' design wasn't defective.

Ford also argued that the driver of the SUV caused the crash and Verduzco's injuries when he took his eyes off the road to reach for a bottle of Gatorade, according to the firm.

Verduzco sought \$8 million in damages, including an unspecified amount of economic damages, although the court granted Ford's motion for nonsuit of his punitive damages claim, according to the firm.

Representatives for Verduzco didn't return requests for comment Friday.

Ford was represented by Amir Nassihi, Frank Kelly, Grant Law, Kate Wolf and Rachel Smith of Shook Hardy & Bacon LLP.

Verduzco was represented by Joseph W. Carcione Jr. and Joshua Markowitz of Carcione Cattermol Dolinski Stucky Markowitz & Carcione and Aaron Markowitz of the Markowitz Law Group.

The case is Verduzco v. Ford Motor Co., case number 615207, in the Superior Court of the State of California, County of Stanislaus.

--Editing by Brian Baresch.

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