



LOCAL BUSINESS

Ford hit with historic \$16.6 million verdict

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By Scott E. Williams / Galveston County Daily News

A 405th State District Court jury hit the Ford Motor Co. with a \$16.6 million judgment in the case of a rollover crash that killed a boy, 13.

The April 2003 wreck involved a Ford Explorer purchased at McRee Ford in Dickinson. Dianne Reding rolled the vehicle after what she said was a series of swerves that started when she tried to avoid hitting a deer near Canyon Lake.

Defense attorneys for Ford said Reding's reckless driving caused the resulting crash that killed Andrew Reding, the driver's son. However, Galveston attorney Tony Buzbee, representing plaintiff Reding, said Ford had known for years that the Explorer's tires were too narrow to be safe.

During the two-week trial that ended Wednesday night, Buzbee produced former Ford engineers who had told executives as far back as 1986 that the tires should be two inches wider to provide more stability.

That did not happen, which Buzbee attributed to "profits over safety — profits over people" in his closing arguments Tuesday.

Denver attorney Tim O'Neill, representing Ford, had told jurors that Reding had been driving too fast, particularly for the foggy conditions present the night of the crash. He also said the boy not wearing a seat belt played heavily into his tragic fate.

"Nothing about that vehicle caused that accident," he said in his opening statement last week. "It was avoidable. It was preventable."

During the trial, evidence showed that Reding most likely was driving at 37 mph when she veered right, turning the steering wheel 42 degrees.

"If you designed a vehicle that at 37 mph and 42 degrees rolls over, it's a defective vehicle," Buzbee said in closing arguments.

The verdict, which Ford attorneys said they would appeal Wednesday, is the first of its kind in Texas and the third nationwide.

Although dozens of lawsuits over vehicle stability had been litigated nationwide since highly publicized recalls that started in 2000, Ford had only lost two such cases until Wednesday.

Jurors in the case found Reding 65 percent liable for the crash and Ford 35 percent liable. The McRee dealership was found to have no liability.

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