

## GM knew its van was defective, parents of injured teen alleged

July 31, 2008

<b>Amount:</b>	\$0	<b>Type:</b>	Settlement
<b>Court:</b>	United States District Court, Eastern District, Tyler, TX		
<b>Case Name:</b>	Ron Lamb, Individually and as Permanent Guardian of Shane Lamb, an Incapacitated Person, and Janna Lamb v. General Motors Corporation, No. 6:07CV333		
<b>Plaintiff Attorney(s):</b>	<ul style="list-style-type: none"><li>• Albert Huerta; The Huerta Law Firm; Corpus Christi TX for Ron Lamb, Shane Lamb, Janna Lamb</li><li>• Joseph E. Ritch; Wigington &amp; Rumley, L.L.P.; Corpus Christi TX for Ron Lamb, Shane Lamb, Janna Lamb</li></ul>		
<b>Defense Attorney(s):</b>	<ul style="list-style-type: none"><li>• Anthony A. Avey; Prichard Hawkins McFarland &amp; Young; San Antonio, TX for General Motors Corporation</li><li>• Daniela Gonzales Aldape; Prichard Hawkins McFarland &amp; Young; San Antonio, TX for General Motors Corporation</li></ul>		
<b>Facts:</b>	<p>On Aug. 30, 2006, plaintiff Shane Lamb, 18, a student, was driving a 1994 Chevrolet Lumina van, which was owned by a third party. Lamb was traveling east on US 84, and as he left the roadway to the south the van began to roll. During the roll, the roof of the van deformed and the driver's side window shattered. Lamb, who was wearing his seat belt at the time, was partially ejected through the driver side window. He sustained severe head injuries in the accident.</p> <p>Ron Lamb, Shane's father and permanent guardian, sued General Motors Corporation, alleging products liability. Shane's mother, Janna Lamb, was also a plaintiff in the suit.</p> <p>The plaintiffs alleged that during the roll of the vehicle, its roof was severely compromised. They claimed the automobile contained an occupant restraint system that was defective in design. According to the Lambs, General Motors knew, and had known for sometime, that "B pillars" are compromised during rollovers and any seat belt anchored to the "B pillar" is also compromised.</p> <p>The plaintiffs' expert noted that during the accident the "B pillar" bent downward and caused slack to develop in the seat belt restraining Shane and allowed him to be partially ejected from the automobile.</p> <p>The plaintiffs also pointed to the the failure of General Motors to use laminated glass that is designed not to shatter upon impact. The plaintiffs' experts opined that Shane was outside of the window when the van was rolling over and he hit the ground several times.</p> <p>General Motors maintained that the accident and the resulting injuries and damages were caused when Lamb fell asleep while driving. It contended the crash was caused solely by the driver's inattention and faulty evasive action.</p> <p>General Motors denied the 1994 Chevrolet Lumina van was defective. Specifically, the defendant's experts maintained that the roof and seat belt system were not defective and that the vehicle complied with all applicable safety standards. General Motors also pointed out that laminated glass would not have made a difference in this crash.</p>		
<b>Injury:</b>	<p>Shane Lamb was taken to hospital via ambulance. He sustained a closed head injury which left him permanently disabled. He will need to be looked after for the remainder of his life.</p> <p>The plaintiffs' expert said Shane's life care costs would be approximately \$10,000 and his past medical expenses were in an excess of \$400,000.</p> <p>General Motors denied that Shane's injuries were its fault and disputed the amount of damages claimed by plaintiffs, including past and future medical costs.</p>		
<b>Result:</b>	The case was settled for a confidential sum.		
<b>Judge:</b>	Michael Schneider		