

# DAILY REPORT

NOT FOR REPRINT

🖨️ Click to print or Select '**Print**' in your browser menu to print this document.

Page printed from: <https://www.law.com/dailyreportonline/2022/01/04/fall-bench-trial-leads-to-127m-new-years-verdict-in-seat-belt-case/>

## Fall Bench Trial Leads to \$127M New Year's Verdict in Seat Belt Case

"The case has had a tortuous history," said the plaintiffs team: Tedra Cannella of Cannella Snyder; Jim Butler of Butler Prather; and Rory Weeks of Cannella Snyder, along with paralegals Cathy Huff and Beth Glen of Butler Prather.

By Katheryn Hayes Tucker | January 04, 2022



## **Tedra Cannella (from left), James Butler and Rory Weeks. (Courtesy photos)**

---

A federal judge in Atlanta issued a \$127 million order and judgment Monday in a seat belt product liability case that has been in litigation for eight years.

The 96-page order concludes a bench trial conducted over six days in October before Judge Steve Jones of the U.S. District Court for the Northern District of Georgia. Jones entered a verdict in the amount of \$127,019,343.40 against Autoliv but apportioned 50% of the compensatory damages to Mazda, reducing the judgment against Autoliv to \$113,509,671.70.

The case involved the death of 38-year-old Micah Andrews on April 12, 2013. He was on his way home to his wife and daughter that evening, traveling on I-575 north in Cobb County, when his Mazda3 suddenly swerved to the right apparently to avoid something in the road. The car ran down an embankment so steep the state later installed a guard rail at the site. The Mazda hit a group of three small trees while Andrews tried to correct course. The electronic front sensor, which was meant to actuate the air bag, failed to send a signal, and the air bag failed to deploy. His seat belt spooled out 20 inches allowing his face to hit the steering wheel hub with such force his skull was fractured. He died at the scene, according to attorneys for his widow Jamie Lee Andrews.

The plaintiff's team includes: Tedra Cannella of Cannella Snyder; Jim Butler of Butler Prather; and Rory Weeks of Cannella Snyder, along with paralegals Cathy Huff and Beth Glen of Butler Prather. They all practiced together at Butler, Wooten & Peak until last month when the firm split into three separate firms.

The judgment included \$2 million for the predeath fright, shock, terror and pain and suffering, \$25 million for the full value of the life and \$100 million in punitive damages imposed against Autoliv. The plaintiff's attorneys said they had already reached a confidential settlement with Mazda.

Autoliv was defended at trial by Douglas Scribner, Jenny Hergenrother and William Joseph Repko, all of Alston & Bird. They said Tuesday they will appeal.

"The case has had a tortuous history," the plaintiff's team said in a written statement. It was first filed in the State Court of Fulton County Georgia on September 18, 2014. It was removed by defendants to federal court. Mrs. Andrews initially sued Mazda, the manufacturer of the car, along with Bosch, manufacturer of the air bag sensor, and Autoliv, manufacturer of the seat belt and the driver's-side air bag. The failure of the air bag to deploy was caused not by a faulty Bosch sensor but by a faulty connector and wire to the sensor—components provided by Mazda.

The plaintiff's team said they consented to the dismissal of Bosch. Mazda settled with Mrs. Andrews in June 2016. In federal court the case was originally assigned to Judge William Duffey, Jr. In January 2017, Judge Duffey granted summary judgment to Autoliv. That decision was reversed by the U.S. Court of Appeals for the Eleventh Circuit in March 2018, only five days after oral argument. Then Duffey retired, and the case was assigned to Jones. Duffey had entered an order requiring Mrs. Andrews to pay attorneys fees to Autoliv—an order undone by the reversal on appeal.

"Autoliv's seatbelt worked precisely as Autoliv designed it to work when it spooled out 20 inches in this 35 mph wreck," Cannella said. "It failed to perform the most basic function of a seatbelt. Mrs. Andrews believed strongly in holding Autoliv, the world's largest manufacturer for automotive safety products, responsible for its design decisions that caused her husband's death. We believe the court's verdict has done that."

"We are pleased for Micah Andrews' family to have finally won justice for Micah," Butler said.

**Copyright 2022. ALM Media Properties, LLC. All rights reserved.**