



## The Voice

### And The Defense Wins

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**Robert L. Blank, Jessica A. Tetrick and David L. Ayers**



DRI members [Robert L. Blank](#) and [Jessica A. Tetrick](#) from the Tampa office of **Rumberger, Kirk & Caldwell** and [David L. Ayers](#) of **Watkins & Eager** obtained a defense verdict in a product liability case concerning a 2004 Toyota Camry in Volusia County, Florida on November 17, 2015 on behalf of Toyota Motor Corporation and Toyota Motor Sales, U.S.A., Inc., the manufacturer and distributor of the Camry.

Plaintiff alleged the 2004 Camry was an unreasonably dangerous, defective product because it was not equipped with curtain shield airbags as a standard feature and because defendants failed to provide any warnings regarding the risks of that design. Plaintiff alleged that due to the lack of curtain shield airbags, her daughter suffered permanent injuries and her granddaughter suffered loss of parental consortium, seeking over \$63 million in damages. Defendants denied the 2004 Toyota Camry was defective or unreasonably dangerous, asserted it was a reasonably safe vehicle without curtain shield airbags, exceeded all applicable Federal Motor Vehicle Safety Standards, conformed to the state of the art in the automotive industry at all relevant times, and that curtain shield airbags would not have prevented or reduced plaintiffs' injuries in this severe crash. The jury returned a defense verdict after four weeks of trial.

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