

SECURING A DEFENSE VERDICT FOR HYUNDAI IN A HOSTILE JURISDICTION

> [Download the PDF](#)

Our Client's Challenge

Hyundai faced a high-profile wrongful death lawsuit in Lowndes County, Alabama. Once called a “legal hellhole” by the U.S. Chamber of Commerce, Lowndes is one of the most dangerous counties in the country for corporate defendants. The plaintiffs were represented by a firm with a track record of winning multimillion-dollar verdicts from juries in that jurisdiction.

It also didn't help that the case involved a well-known and respected member of the community who was killed after she drove her Hyundai Excel into the path of a fully loaded tractor-trailer traveling at highway speeds. The lawsuit blamed her death on the car's allegedly defective seat belt systems and driver's door latch. The complaint argued that if Hyundai used alternative designs for those safety components, the woman would not have died.

Our Approach

Given the emotional overtones of this case and the likely hostility our client would face from the jury, Lightfoot's strategy was to be laser-focused on the facts. This was about a severe collision between a 2,300-pound compact car and an 80,000-pound fully loaded tractor-trailer. In that scenario, the car was at a clear disadvantage, no matter what kind of safety equipment it had.

To convey the enormous disparity between the two vehicles to the jury we worked with our experts to perform a full-scale crash test that duplicated the collision. The visual this created — along with an accurate reproduction of the sound of the impact — drove home how inconsequential any of the plaintiff's proposed alternative door and seat belt system designs would have been in preventing the tragedy.

We also argued — and won — a motion to have the woman's actual car as well as the same model of tractor-trailer positioned outside the courthouse for the jury to see. A portion of our cross-examination of the plaintiff's expert witnesses happened in front of the vehicles. The juxtaposition of the small, compact Hyundai with the 80,000-pound tractor-trailer effectively communicated to the jury that this tragic event was never a fair fight. We made it crystal clear that there was simply nothing more Hyundai could have done to protect the driver who had pulled into the path of an oncoming heavy truck.

The Result

We tried this case twice. The first time resulted in a mistrial with the jurors deadlocked 10-2 in favor of Hyundai. The second trial lasted nine days and resulted in a unanimous verdict for Hyundai.