

NEWS & INSIGHTS

LIGHTFOOT WINS SUMMARY JUDGMENT FOR U-HAUL IN COMPLEX WRONGFUL DEATH CASE

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Lightfoot, Franklin & White LLC partners **Banks Sewell** and **Haley Cox** and associate David Rich have secured a defense victory on behalf of client U-Haul International, Inc. in a wrongful death case in Texas.

After four years of litigation, the court entered a 61-page published opinion granting summary judgment in favor of U-Haul on all claims, which included strict liability for a design defect, failure to warn, negligent design and manufacturing, and gross negligence (for punitive damages).

The case arose out of a 2012 rollover accident involving an SUV towing a U-Haul trailer. The accident claimed the life of the driver and a passenger. Plaintiffs in the case alleged that the trailer was defectively designed and that U-Haul's decision to rent a trailer of that size with an SUV was unsafe.

The court found in favor of U-Haul on all claims, finding that the evidence established no design defects in the trailer, that U-Haul provided adequate and proper warnings, and that U-Haul exercised reasonable care in the design and manufacture of the trailer.

"This is an important victory for our client in a long-standing battle where every fact and issue was litigated over the course of four years," said Cox.

"We always maintained that our client's processes and product were safe and that this accident was the fault of excessive speed and driver error," added Rich.

The case is *Barragan et. al v. U-Haul International, Inc. et al.*, in the U.S. District Court for the Western District of Texas, case no. 5:15-cv-854-DAE.