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STRATEGY:
LASER-FOCUS
ON THE
FACTS

2 TRIALS

1 UNANIMOUS VERDICT

CASE STUDY

Securing a defense verdict for Hyundai in A HOSTILE JURISDICTION

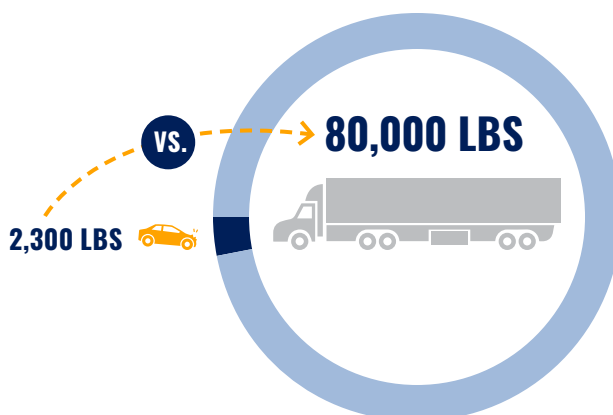
Our Client's Challenge

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.



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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.

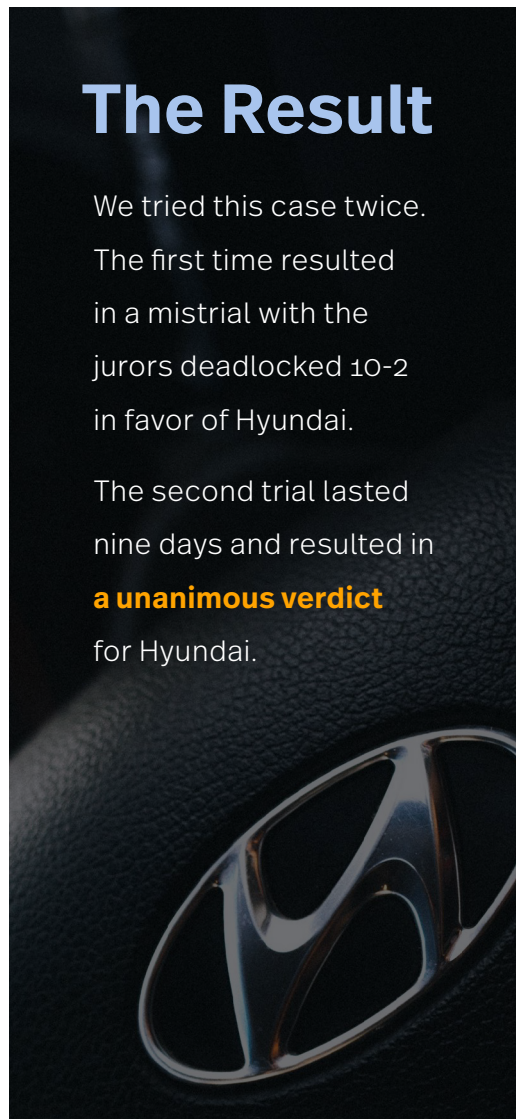
We also argued – and won – a motion to have the woman’s actual car as well as the same model of tractor-trailer positioned outside the courthouse for the jury to see. A portion of our cross-examination of the plaintiff’s expert witnesses happened in front of the vehicles. The juxtaposition of the small, 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.



Jere F. White Jr.
Founding Partner
(1955 - 2011)



Harlan I. Prater IV
Partner



J. Chandler Bailey
Partner

PRACTICE AREAS:
Automotive
Product Liability

About Lightfoot, Franklin & White LLC

Trusted by clients and respected by opponents, Lightfoot is a leading national litigation firm. True to its “**Trial Tough, Solution Savvy**” philosophy, Lightfoot was named a “**Top 20 Trial Law Firm**” in the U.S. by Benchmark Litigation in 2019, 2020 and 2021. Working from offices in Birmingham and Houston, the firm’s 60+ lawyers are known for their work involving complex, bet-the-company litigation; internal and government investigations; risk management; and compliance counsel, including NCAA matters, for clients across the country and around the world. For more information, visit lightfootlaw.com and connect with us on [Facebook](#), [LinkedIn](#) and [Twitter](#).



BIRMINGHAM | 205-581-0700
HOUSTON | 713-960-1488



lightfootlaw.com