



Airbag Failure
2011 Confidential Settlement

The Accurso Law Firm settled a wrongful death case against a major automotive manufacturer for claims that the driver's airbag failed to deploy. The deceased was found non-responsive due to extreme blunt force trauma to the face and head after veering off the rural highway and striking a tree head-on. Because there were no indications of breaking or relevant prior medical history, it was assumed the deceased fell asleep while driving.

Claims were brought against the automobile manufacturer for the driver's airbag failure to deploy. Upon inspection and download, The Accurso Law Firm learned that no failure code was recorded in the vehicle's electronic data sensor. To learn that no failure code was recorded provided the defendant with a ready-made defense, but fortunately the physical evidence of the violent nature of the collision into the tree provided enough evidence to convince a potential jury that this is an impact where an airbag should deploy.

After extensive discovery hearings The Accurso Law Firm discovered that the automobile manufacturer failed to test the airbag system for frontal pole impacts. It has been common knowledge for many years that airbag systems are most likely to fail in this type of accident scenario. To not test the system for pole and tree type impacts was a conscious disregard for safety and significantly increased the value of the case.

The surviving family members are an upstanding family whose only wish was that their husband and father would have had the chance to survive the accident with a properly functioning airbag. The injuries that took his life were exactly what the manufacturer claimed the airbags were designed to prevent. Hopefully this case takes manufacturers a step closer to ensuring their systems are safe.