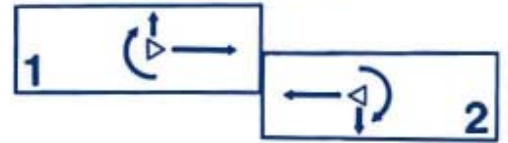


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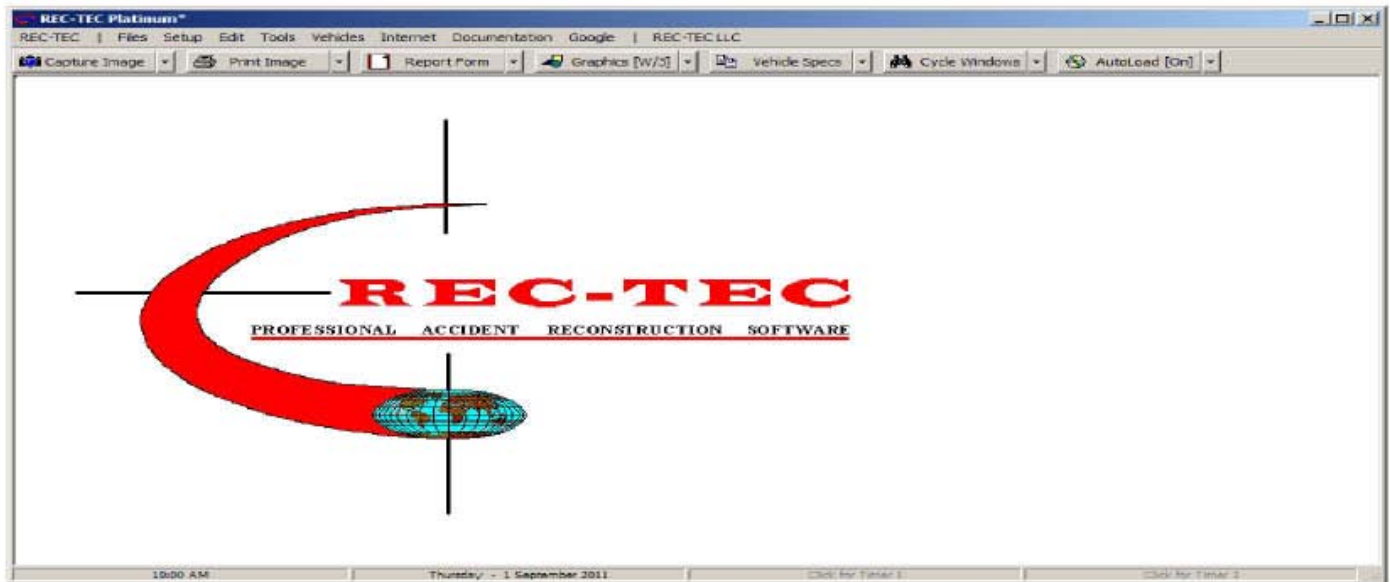
VOLUME 21, NO. 6

NOVEMBER/DECEMBER, 2011



INSIDE: *Sensitivity of Video Analysis to Increasing Vehicle Distance from Camera*
Compliance Crash Testing of a Type II-A Guiderail Terminal
Summaries of Two Motorcoach / Fixed Barrier Crash Tests
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VOLUME TWENTY ONE, NUMBER SIX

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TOYOTA WINS DISMISSAL OF SPEED-UP CASE SET FOR FIRST TRIAL

Toyota Motor Corp. won dismissal of the first sudden acceleration lawsuit set for trial in California in 2013 because a federal judge determined it should have been filed in state court in Utah.

Toyota recalled at least 8 million U.S. vehicles starting in 2009, after claims of defects and incidents involving unintended acceleration. The recalls set off hundreds of economic-loss suits and claims of injuries and deaths. The first test case was set for trial in February 2013.

U.S. District Judge James V. Selna in Santa Ana, Calif., today dismissed that first bellwether case, brought by the families of two people killed in a crash in Utah in 2010, finding a federal warranty claim in the lawsuit failed to meet a required \$50,000 threshold for damages. The plaintiffs couldn't count potential personal injury or punitive damages to reach this requirement, under federal law, Selna said.

"Plaintiffs are unable to reach the jurisdictional threshold of \$50,000 in damages," Selna said. "The case is dismissed for lack of jurisdiction."

The ruling won't keep the case from being tried or from remaining

Continued on page 9

FORD WINS REVERSAL OF \$43M AWARD IN ILL. FATAL CRASH CASE

Ford Motor Co. won reversal of an Illinois jury's \$43 million damage award in a lawsuit filed after a 2003 crash killed a 73-year-old man and severely burned his wife.

The Illinois Supreme Court has thrown out the verdict rendered after a 2005 trial concluding that Dora Jablonski and the estate of her husband, John, failed to prove the gas tank of their 1993 Lincoln Town Car had been defectively designed.

Their car burst into flames after being hit in the rear by another vehicle traveling at an estimated 55 to 65 miles per hour while they were stopped at a highway construction zone in southwest Illinois, causing an item in the trunk to pierce the tank.

"Plaintiffs presented insufficient evidence from which a jury could conclude that Ford breached its duty of reasonable care" on three negligent design theories, the high court said. It rejected a fourth argument as not viable under state law.

- Bloomberg

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VICTOR CRAIG - EDITOR

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