



The Voice

And The Defense Wins

Published 3-11-15 by DRI

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On Friday, February 6, 2015, a jury in Lake Charles, Louisiana, returned a defense verdict for Ford Motor Company following a two-week trial in a post-collision fire case, rejecting plaintiffs' allegation that the brake master cylinder and reservoir assembly in decedent William Morvant's 2002 Ford F-150 was defectively designed. Ford was represented at trial by [Perry Miles](#) and [Lauren Wood](#) of [McGuireWoods, LLP](#) in Richmond, Virginia, and by [Keith McDaniel](#) and [Lance Williams](#) of [McCranie Sistrunk Anzelmo Hardy McDaniel & Welch, LLC](#) in Covington, Louisiana.

The action arose out of a single vehicle collision in January 2008, when Mr. Morvant drove off the road and into a ditch after drinking at two local bars. His vehicle slammed head-on into a concrete culvert in the ditch, causing its rear end to catapult over the front end before the vehicle came to rest on its passenger side. A small fire began in the engine compartment and eventually progressed through the windshield and into the passenger cab. Though an eyewitness to the accident reported that she observed no signs of life from Mr. Morvant when she approached the vehicle immediately after the wreck, plaintiffs alleged that Mr. Morvant was trapped in the vehicle and "burned alive."

Decedent's medical records reflected ongoing treatment for alcoholism and a post-mortem blood draw by the medical examiner's office revealed he had a .3 percent BAC; however, the judge ruled that such evidence was inadmissible. The judge also excluded evidence that decedent was not wearing his seatbelt at the time of the wreck.

Plaintiffs' experts contended that the polymer brake fluid reservoir in decedent's F150 was cracked or dislodged from the master cylinder in the collision, allowing brake fluid to escape the reservoir and ignite on the exhaust manifold. Plaintiffs' design engineer, James Mundo, opined that the reservoir was defective because it should have been constructed of metal and should also have been ensconced with a bathtub-like shield to collect any fluids that may leak from the reservoir during a collision.

Ford contended that the fire was caused not by brake fluid but rather due to the release of power steering fluid onto the exhaust manifold, which occurred when the power steering reservoir was smashed against the bulkhead of the vehicle due to the severity of the impact with the culvert. Plaintiffs made no claim regarding the design of the power steering reservoir.

Jack Ridenour, Ford's design engineer and fire cause and origin expert, testified that the brake fluid reservoir was properly designed and he ran crash testing that confirmed that it was crashworthy and would have survived the impact intact. Ford's accident reconstructionist testified to the unique and severe nature of the wreck, explaining that frontal collisions followed by pitched rollovers such as in this case represent only .004 percent of all collisions. Additionally, Ford's pathologist and biomechanic both testified that Mr. Morvant could not have survived the initial impact and did not "burn alive."

Plaintiffs sought a total of \$11 million—five million dollars in pain and suffering and 1.5 million dollars each for Mr. Morvant's surviving spouse and three adult children.

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