

Passaic Jury Returns \$26 Million Against Ford Motor Company and Garden State Engine & Equipment for Driver Injured in Crash with Truck

March 21, 2006

On Monday, March 20, 2006, a Passaic jury awarded \$26 million to plaintiff Michael Boyle, who was injured when his car impacted a Ford truck that was assembled into a flatbed crane by Garden State Engine & Equipment. The jury allocated 70% of the damages to Ford, 30% to Garden State.

The Accident

On January 10, 2002, plaintiff Michael Boyle suffered severe injuries when the car he was driving to work as an iron worker in New York City, collided with and became wedged underneath (or “underrode”) the rear of a Ford F-800 flat-bed truck. The roof of Boyle’s vehicle was torn off and crushed into the back seat. The truck bed intruded into the passenger compartment. Boyle’s facial bones and the orbits of his eyes were crushed requiring some 18 hours of surgery and significant rehabilitation. He also suffered injuries to internal organs. Miraculously, Boyle was not killed. However, he has been left disfigured and disabled. The passenger in his car received only minor injuries.

John D. North, a partner with Greenbaum, Rowe, Smith & Davis LLP, Mr. Boyle’s attorney, proved at trial that the injuries were sustained because the underride guard that was added to the truck by Garden State, snapped off when the car hit the truck and was virtually undamaged as a result of the accident.

“Underride” crashes such as this, in which cars become wedged under the beds and trailers of commercial trucks, occur because of the higher ground clearances of commercial trucks relative to most passenger vehicles. Commercial truck manufacturers have known of the risk of such accidents and the catastrophic injuries they cause for decades. Yet Ford designed and manufactured the truck’s cab and chassis without any protection against this type of accident.

While Garden State did add an underride guard, the jury found that it was defective. The guard snapped off upon impact, providing no resistance to the Boyle vehicle

In commenting on this result, Mr. North said “Mr. Boyle was a young, hard-working man. His life was forever changed. I believe the verdict shows that the jury recognized his injuries would have been prevented if the defendants cared more about safety.”

Greenbaum, Rowe, Smith & Davis LLP has offices located in Woodbridge and Roseland, New Jersey. For more information, call 732-549-5600 or visit the firm’s web site at www.greenbaumlaw.com.