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News Release

GM Compensation Plan May Work for Some Families, But Leaves Out Many Others

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ATLANTA, GEORGIA (June 30, 2014) – After reviewing GM's compensation plan, Lance Cooper of The Cooper Firm says that it may benefit certain victims who were involved in accidents caused by defective key systems in GM vehicles. "Unfortunately, the Final Protocol, however, excludes over a million of the vehicles GM recalled to replace defective ignition switches," Cooper said.

If it is GM's intent to "make it right" for the victims of the key system defect, the final protocol should include all of the recalled vehicles listed in the compensation plan. There should be no distinction between production part vehicles and service part recalled vehicles. Simply put, if an engine stalls in a recalled vehicle as a result of the key inadvertently moving from the run to accessory position, the model year should not matter. "Mr. Feinberg has had to rely on GM's technical expertise in defining the scope of the vehicles which would be included in the plan," Cooper added. "Unfortunately, GM has tied Mr. Feinberg's hands by limiting the scope. These families will now be forced to file lawsuits and ask jurors 'make it right' since GM has chosen not to allow Mr. Feinberg to make it right."

The decision by GM to exclude these recalled vehicles from the compensation plan makes little sense since GM's own internal testing shows that the ignition switches in 40% of the 2008-2009 recalled vehicles did not meet GM's minimum torque specifications. This explains why The Cooper Firm is investigating numerous engine stalling claims involving post-2007 model year recalled vehicles.

Another concern is the evidence that the claimants' are required to present in order to prove that the defect caused their harm. In many cases, much of the evidence that would normally be available was destroyed as a result of GM's cover-up of the defect. There is some concern that the Final Protocol will not provide victims with the benefit of the doubt if the evidence is no longer available. Furthermore, GM should not benefit from its egregious conduct by having the lack of available evidence as a barrier to compensation.

Finally, it is encouraging to note that the Final Protocol gives families the opportunity to opt in or opt out of the plan. No doubt, some families will decide that the plan makes the best sense for them, while others will decide to pursue their lawsuit against GM. Of course, for those who decide to pursue their lawsuit, GM should waive any bankruptcy or statute of limitation defenses so that these families are not forced into a plan that is not acceptable to them. This would be consistent with Mr. Feinberg's comments that families should be given a choice.

About The Cooper Firm

Lance Cooper founded The Cooper Firm in 2006. With experience in substantial personal injury and wrongful death cases, he has represented plaintiffs in numerous civil jury trials and has successfully prosecuted hundreds of cases and gained multi-million dollar verdicts and settlements on behalf of his clients. For more information, visit www.thecooperfirm.com.

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