

Featured Case:

Exploding Airbag

In April, 2014, our client was driving when another vehicle pulled in front of her, causing her to brake, lose control of her 2004 Kia Optima, and hit a wall head-on at low speed. The impact caused her driver's side front airbag to explode, sending shrapnel throughout the vehicle's cabin, and into our client's face and neck.

Our client sued the manufacturer of the vehicle (Kia Motors America), the driver's frontal airbag assembly (Delphi Automotive Systems, LLC), and the inflator in that assembly (ARC Automotive, Inc.). Our investigation focused on the inflator as the cause of the explosion. This is the first case of its kind against Kia, Delphi, or ARC. Based on the nature of the defect that we discovered, we expect there will be similar failures in the future.

The case settled for a confidential amount after extensive examinations of the vehicle and the airbag assembly, but shortly before the Defendants' responses were due to our initial discovery. ♦

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Doreen Lundrigan Celebrates Fifteen Years at the Firm

Doreen joined the firm in 2001 as a litigation paralegal. Doreen quickly became a strong asset to the firm working on cases involving Wal-Mart, General Motors, Toyota, Nissan, Kia, Ford and Subaru, Chrysler and Michelin. She also helped with ground breaking work involving General

"It was a lucky day for me when I was hired by Lance. I joined a terrific team doing gratifying work which ultimately changes our clients' lives."

Motors and its defective ignition switch, which has made its way across national news several times and prompted millions of defective vehicles to be recalled. Her work in product and auto cases has been invaluable.

Doreen graduated with an Associate's Degree and completed the paralegal program at Broward College in Fort Lauderdale, Florida. Doreen has two sons who are both married and is the grandmother to a boy and a girl. Doreen is very active and enjoys fitness classes and running. She enjoys spending time her family and friends, and attending sporting events.



Doreen and her Grandchildren

"I enjoy working closely with our clients and being a part of something that makes a difference on a greater level. An example of this is the Melton case, which ultimately led to the recall of millions of defective vehicles."

Doreen is an active member of the Attorney's Information Exchange Group (AIEG) and Georgia Trial Lawyers Association. She was chairman of a paralegal seminar with a national product liability group in 2012 in Birmingham, Alabama. She was also named Paralegal of the Year in 2012.

Doreen is a wonderful addition to our team and we are so grateful for her fifteen years of service at The Cooper Firm. ♦

Yielding Car Seats:

Death at the Weakest Link

We all know the many analogies. A chain is only as strong as its weakest link. A three-legged stool can't stand on two legs. For want of a shoe the rider was lost. The iron man had clay feet. If you've left anything undone, you've left everything undone. Such analogies all apply when a weak link, sometimes the smallest part, destroys the strength or effectiveness of the overall product.

That is the sad case with many automobile seats. So much modern attention is paid to seat belts, air bags, and strong solid doors. But, if you do not stay in your seat during a wreck, all of those safety features are meaningless. Those features cannot function as designed, nor will they protect you if they are the weakest and first link in the chain. Defective seats nullify all the other safety features built so proudly into your car. Seats fail in the seatback, the recliner mechanisms, and the seat tracks. Seats tend to behave correctly in frontal collisions. It's those from the rear that are the larger problem.

In rear impacts, it is well known that car seats can break or deform backwards. If they do that, the driver or passenger is left unrestrained. The driver's body slips out from under the lap belt and the shoulder belt no longer holds the driver to the seatback, which has moved. As a result, the driver or passenger can fly out of the seat, usually rearward, where they hit the passengers behind them. That can cause serious injury to both the driver and to the passengers or, in some cases, the driver might hit other objects coming forward in the impact, such as spare tires or parts of the trunk and back seat. Drivers can slip out the lap belt and ramp up over the back of the seat, or some portion of their body can be partially ejected. The National Highway Traffic Safety Administration ("NHTSA") has estimated that in 1990 over 1,100 people died from collapsed seats. Over 1,600 more suffered other injuries due to failed seats, or the seats simply yielded too far backwards.



Broken driver's side seatback

The most common problems and seat failure dynamics include, according to one seat expert:

- ◆ Loss of car control when the driver's seat fails backwards and the driver can no longer steer or brake the car correctly.
- ◆ Ineffective restraint systems that allow the occupant to twist and turn, or even come out from under the belt completely, enabling them to move rearward and injure themselves.
- ◆ Full or partial ejection out of the car.
- ◆ Injuries to the passengers in the rear of the car, including body to head and head to head contact that result in severe injury or death.
- ◆ Inability of rear seat passengers to escape a wrecked car because they are trapped under the seats, which deformed rearward and trapped their legs or body.

All of these seat failures can happen at any speed, ranging from low speeds to high speeds. Thus, we think speed is not the real issue. It is about the seat strength.

Seats can also fail even if the seat performs as the car makers currently intend them to perform, namely, by simply yielding too much during the crash impact. The current Federal Motor Vehicle Safety Standard ("FMVSS") 207 governs seat strength. It is a minimum standard that the car makers have to meet. Congress enacted it as part of the 1966 Safety Act. FMVSS 207 was grossly inadequate in 1966. As designed, FMVSS 207 gives you only about two percent of the frontal protective force of FMVSS 207 when you are hit in the rear. FMVSS 207 is still grossly inadequate, primarily because the car makers oppose making it any stronger and have aggressively opposed efforts to make the seatbacks stronger and more rigid. They have lobbied NHTSA to reject efforts to improve and modernize the standards in FMVSS 207, even though some fixes involve one dollar and a pound of added steel.

NHTSA is a federal agency. Because of the Supremacy Clause in the U.S. Constitution, the federal government's safety rules "preempt" anything the States might do. Thus, our local governments can do nothing. But you can. Write your U.S. Senators and Congressmen and tell them to enact improvements that add strength to FMVSS 207.

You can find their addresses at www.opencongress.org/people/zipcodelookup. ◆

The Cooper Firm Team Completes Mission Work in Liberia



**Sonja with
new friends**

At the beginning of this year, Lance, his wife Sonja, and Sherry Kerr joined a team of seven others to do mission work in Africa. The trip was organized by Orphan Aid Liberia, a group that is close to the heart of many in our firm. The team served five orphanages and held vision clinics in two different cities over the course of twelve days.

Four days were spent in an orphanage that Orphan Aid Liberia supports deworming children, bringing presents, distributing clothing and boxes full of items that a local church put together. They also visited the city of Dolos Town, where they send materials to foster children whose parents were killed due to the Ebola crisis. Sherry recalled how over 500 men and women lined up outside the building where they were holding an eye clinic, but they were only able to help less than half.



**Lance lending a
couple of hands**



**Sherry and
local students**

One of Sherry's favorite memories was when a Lebanese man who owned a hardware store in the city they were staying invited them to dinner. The night before, they were eating cold chili and tuna out of the can, but this man prepared a feast for them including lobster, barracuda and endless homemade dishes thanking them for their work in the community. Lance also shared that it was a meal and experience that he would remember forever.

Orphan Aid Liberia was created in 2008, after Daryl Roberts went on a trip and discovered nearly 300,000 children who were orphaned due to a civil war. Daryl founded the organization, and began bringing relief to children and communities of Liberia. For more information regarding this group or to donate, please visit Orphan Aid Liberia on Facebook. ♦

Team Highlights



Linda Stricker Campbell started volunteering at McKenna Farms Therapy where she participates in hippotherapy sessions with clients, horse care and barn work. Learn how you can help at www.mckennafarms.org/.



Pat Dawson's article, "Slaves, the Law, and the Banality of Horror," is going to be published in the next volume of the Southern Journal of Legal History.



Amanda Lavery will be attending her 20th High School Reunion. She claims she graduated when she was 9-years-old.



Doreen Lundrigan is celebrating 15 years with the firm (page one).



Victoria Schneider welcomed her first child, a baby boy named Cove Patrick, this December.



Drew Ashby was selected as a Superlawyer Rising Star for 2016.



Relentlessly Pursuing Justice

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“With The Cooper Firm, I did not feel like just another client. Without the support and guidance of Lance, Amanda, and Linda, I don’t know that I would be where I am today. Thank you for all that you have done for my family and me. Given my situation, I believe most would have given up but you guys didn’t.”

The Garrett Family