



The Moran Case

Case Summary Moran vs. Chrysler Corp.

On the morning of December 17, 1996, Bart Moran was fatally injured in an automobile accident because the seat belt he was wearing released during the wreck.



the family's brand new '97 Dodge Caravan to make a quick trip to the grocery store to pick up a turkey roasting pan for his wife. He traveled down Saratoga Boulevard, a major Corpus Christi six-lane thoroughfare. As Moran approached Aaron St., 17-year old high school student Luvh Rakhe, pulled slowly onto Saratoga to make a left turn, directly into the path of the minivan. Moran veered left to avoid a collision. Rakhe's Ford Taurus struck the passenger side of the minivan, causing it to skid sideways and roll three times. Bart Moran was thrown out of the minivan, suffering massive head injuries and a broken neck. He lived for 24 hours. His wife of three years, Yvonne, and 8-month-old daughter, Autumn, were by his side when his comatose body was disconnected from life support.

Every expert that investigated the collision agrees that if Bart Moran's seat belt had functioned properly, he would have survived with only minor injuries. Bart Moran had not failed to wear or engage a seat belt. The seat belt had failed Bart Moran.

Yvonne Moran filed suit against Chrysler Corporation June 23, 1997, and against AlliedSignal on August 21, 1997, in Nueces County Court, Corpus Christi, alleging the seat belt that should have saved Bart Moran's life, in fact, caused his death. Mrs. Moran was and is represented by her attorney, Billy Edwards, a principal in the Edwards Law Firm, L.L.P. of Corpus Christi, TX., one of the nation's leading consumer advocacy firms. The Edwards' firm is well known in many areas of consumer product safety, including work in cases involving defective tires, dangerous automobiles, unsafe baby seats and a host of others.

Chrysler manufactured the Moran's Dodge Caravan, and



ABC's Primetime story on the Gen3.



FOX Tampa Bay story on the Gen3.

Main

News Releases

Latest News

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- Tennessee Woman Files Seat Belt Suit After Accident Leaves Her Paralyzed
- Dangerous Seatbelts?
- Potential Seatbelt Safety Problem Exposed
- Houstonians sue DaimlerChrysler over seat belts
- New call for Chrysler to recall seat belts
- Consumer groups renew push for seat belt recall

Legal Documents

Media Tools

FAQ's

Makes/Models Known to Have Gen3 Seat Belts

What You Can Do

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Mendoza Case

Moran Case

Hartman Case

Autoliv Buckle



Yvonne and Bart

AlliedSignal manufactured the "Gen3" safety belt buckle installed in the vehicle. The Gen3 buckle has certain design characteristics that set it apart from other buckles. Most buckles have a release button that is flush with the outside cover, which protects the buckles from accidental

release during a collision. On the Gen3, the release button sticks up above the cover, which makes it prone to accidental release during collisions when an arm, hand or other object strikes the buckle.

The lawsuit alleged that the seat belt buckle was defective as designed, and that Bart Moran would have survived with relatively insignificant injuries had the seat belt that he was wearing not unlatched during the wreck. The suit also accused Rakhe of negligence for his part in the accident.

Chrysler first tried to prove that Bart Moran was not wearing his seat belt. However, at trial, several witnesses described Bart's inflexible habit of always wearing his seat belt. Physical evidence also showed that Mr. Moran was wearing his seat belt at the time of this wreck. For instance, residue from a can of car polish, which opened during the wreck, was found on the safety belt webbing that was rolled up inside the retractor. If the seat belt had not been worn, the polish could not have splattered onto that part of the belt. Medical records described abrasions on the left and right hip areas consistent with belt use, and a photograph taken by the medical examiner recorded an abrasion on the left shoulder at the base of Mr. Moran's neck, also consistent with a mark that would be left by a shoulder belt.

Chrysler then attempted to argue that accidental release of a safety belt is extremely rare. However, the testimony and evidence at trial demonstrated that the Gen3 buckle had a history of accidental release. Testimony revealed that Chrysler engineers were aware of the Gen3's tendency to unlatch accidentally. Chrysler and government crash testing revealed Gen3 buckles unlatching. Other testing demonstrated that the buckle fails Chrysler's own internal safety belt test for accidental release. Trial evidence and testimony also demonstrated that in another line of vehicles, Chrysler made a subsequent design change in the buckle in 1998, to minimize the risk of accidental release. While Chrysler used the redesigned buckle (called the Gen4) in some cars, Chrysler is still using the old Gen3 in many other cars, even in its 2002 models.

The Moran case went to court on June 12, 2000. After a two-week trial, ending June 23, 2000, the jury found that:

1. Bart Moran was wearing his safety belt immediately prior to the wreck;
2. The safety belt buckle was defective and unreasonably dangerous, and that it was a producing cause of Bart Moran's death;
3. Luvh Rakhe was negligent in the operation of his vehicle and such negligence was a proximate cause of the occurrence;
4. Bart Moran was not negligent in the operation of his vehicle; and
5. The defective safety belt buckle was 99% responsible for Bart Moran's death and Luvh Rakhe was 1% responsible.

On July 28th, 2000, the court entered a judgement against the defendants for \$6.7 million, with post judgement interest to accrue at 10% per year. AlliedSignal, Inc. and DaimlerChrysler Corp. have appealed the case to the Court of Appeals for the Thirteenth District of Texas at Corpus Christi. Meanwhile, the lower court's judgement has grown to \$7.3 million.

