Attorney General Tom Horne Files Lawsuit Against General Motors For Ignition Switch Defects

Lawsuit Cites Concealment of Critical Safety Defects and Deceptive Vehicle Sales to Arizona Residents

Phoenix, AZ (Thursday, November 20, 2014) -- Attorney General Tom Horne yesterday filed a lawsuit against General Motors, LLC (GM) on behalf of the State of Arizona that seeks civil penalties, claiming that the automaker has deliberately endangered Arizona motorists and the public by intentionally concealing serious safety defects to avoid the cost of recall and replacement. This is the first action by a State against GM for its alleged role in suppressing knowledge of defects and not recalling vehicles in a timely manner. Under the Arizona Consumer Fraud Act, civil penalties can reach up to $10,000 per violation.

The suit claims that by concealing known defects, GM enticed Arizona consumers to purchase vehicles under the false pretense that they were safe and reliable.

“Under Arizona law, companies have a basic responsibility not to deceive and mislead, but instead to act honestly and in good faith. As this lawsuit illustrates, General Motors failed to do that, endangering too many Arizonans,” said Attorney General Tom Horne.

The 100+ page Complaint was filed in Maricopa County Superior Court and lays out the alleged facts supporting the claim that GM misrepresented and concealed important facts in its efforts to sell cars, which violated the Arizona Consumer Fraud Act.

“GM manufactured and sold unsafe vehicles in Arizona and knowingly concealed information about safety hazards from the driving public, and its own customers,” said Horne. “As a result, hundreds of thousands of unsuspecting owners and lessees in Arizona continued driving unsafe vehicles, posing a danger to themselves, their passengers and loved ones, other drivers, and pedestrians—all while GM knew the truth about the defects.”

The Complaint also outlines the automaker’s consistent pattern of investigation and delay that followed every instance GM became aware of a defect, alleging that the concealment of these known defects was deliberate, and seeks to hold GM liable for its actions and alleged omissions after July 10, 2009, which is the date New GM acquired virtually all of the assets and certain liabilities of the previous (and bankrupt) GM entity.
The complaint is attached.