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Paraplegic boy awarded \$45 million

By Dana Bartholomew
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CHATSWORTH — A jury awarded \$45 million Tuesday to a 12-year-old boy paralyzed while wearing a lap belt when his family's Ford minivan slammed into a 15-ton roll of steel on the Golden State Freeway in 1996.

The verdict against Ford Motor Co. was reached at Chatsworth Courthouse after a seven-year court battle and what jurors described as seven grueling days of deliberation.

"I'm just glad this is over," said Agneta Karlsson of Coto de Caza, whose son, Johan, was 5 when he was critically injured by a lap belt restraint while riding in the back seat of a Ford Windstar.

"I'm glad the jury found Ford guilty and I'm pleased they didn't put any blame on me. I'm happy for my son, that he can move forward."

A Ford spokeswoman said the company disagreed with the decision and would likely appeal.

"Ford has a long history of ethical behavior," Kathleen Vokes said from the company's headquarters in Dearborn, Mich. "This was a tragic accident. Unfortunately, the child wasn't belted properly. It's also unfortunate companies get sued when people aren't belted properly."

The multimillion-dollar verdict against Ford is in addition to a \$10 million settlement paid by other plaintiffs involved in the crash Nov. 23, 1996.

On that day, Johan and his family were headed from Laguna Niguel toward Washington state when their leased Ford Windstar plowed into a 29,000-pound roll of steel that had fallen from a truck when it crashed into another hauler.

Tim Mansfield, the van's driver, his sister-in-law, Karlsson, and her five children, ages 9 months to 8 years, were restrained by shoulder harnesses and suffered serious injuries.

Johan, wearing a lap belt in the center of the back seat, suffered a severed spinal cord that left him permanently paralyzed. The boy appeared in a wheelchair once during the court proceedings.

Attorneys Tom Girardi and David Lira, who represented Johan in the six-week trial, had researched 500 cases of Ford documents in order to back up their claim that the company knew its lap belts could result in injuries but had failed to warn the occupants of its cars.

They also contended before Superior Court Judge Howard J. Schwab that the carmaker had withheld important documents in the case.

"The case is crucial with respect to all companies that do research, determine they have a problem, and don't do anything about it," Girardi said. "In this case, Ford had actual (video) footage of what could happen to a little boy with a lap belt and a crash of this velocity — and they found out the little boy's spinal cord to be severed.

"Despite that, Ford marketed the car as a

vehicle for the junior hockey team."

The jury awarded Johan \$30.45 million in compensatory damages, plus \$15 million in punitive damages.

In 1999, Transcontinental Transport agreed to pay Johan \$10 million, with three other trucking companies, including a company that loaded the steel coil, paying an additional \$375,000.

The money will be placed in a trust for Johan.

A hearing will take place next month to determine whether Ford can receive credit for money already paid the crash victim. Girardi expected the award to be reduced by as much as \$5 million.

Marvin Kay, an attorney who first represented Johan during the trial, said that despite his injuries, the boy wants to be an athlete.

"He wants to get out of his wheelchair," he said. "With his attitude, he can do anything." Jurors said they reached their decision Tuesday afternoon despite key differences of opinion during deliberations.

"One of the most difficult things I've ever done in my life," said one juror who declined to give his name. "The most difficult thing was group dynamics."

Other jurors said they reached their decision with one goal in mind, "Johan was the main concern," said Roland Selame, 58, of Chatsworth. "His future. He's taken care of, that's the main issue."

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