# [***Kristy Padilla, a Minor by her Guardian ad Litem, Edwin Padilla; Edwin Padilla, Kimberly Padilla v. Price Toyota et al; 2006 Mealey's Jury Verdicts & Settlements 725***](https://advance.lexis.com/api/document?collection=jury-verdicts-settlements&id=urn:contentItem:4M1D-JRJ0-0223-Y151-00000-00&context=)

04-03422

Aug. 18, 2006

**Headline:** Confidential Settlement Reached In New Jersey ***Car*** ***Accident***

**Result:** Confidential settlement

**Court:** D. N.J.

**Judge:** Jerome B. Simandle

**Plaintiff Profile**

Kristy Padilla, a minor by her guardian ad litem, Edwin Padilla; Edwin Padilla, Kimberly Padilla

**Defendant Profile**

Price Toyota, Toyota Motor Corp., Toyota Motor Sales USA Inc., Toyota Motor Manufacturing Canada Inc., Calty Design Research Inc., William R. Baker

**Plaintiff Counsel**

Thomas R. Smith, Pellettieri, Rabstein & Altman, Princeton, N.J

**Defendant Counsel**

Jennifer M. Brooks, Eckert, Seamans, Cherin & Mellott, Philadelphia; William H. Hanifen IV, Collingswood, N.J

**Case Summary**

**Claim:** Strict liability, negligence, emotional distress, loss of services

**Background:** On May 18, 2002, Edwin Padilla and his daughter Kristy Padilla were involved in a two-vehicle collision with William R. Baker. Padilla and Kristy, a front-seat passenger, were traveling north on Delsea Drive in Vineland, N.J., in a 2002 Toyota Corolla, purchased at Price Toyota, in New Castle, Del. Baker was traveling south on Delsea Drive when he crossed the center line, striking Padilla's vehicle almost head-on. Kristy was severely injured when the passenger-side air bag failed to deploy. The Padillas, including Kristy's mother, Kimberly, filed suit in the Cumberland County, N.J., Superior Court on June 21, 2004; the case was removed to the U.S. District Court for the District of New Jersey on July 20, 2004.

**Other:** The case was dismissed without prejudice. The motion to seal the settlement agreement was granted Aug. 15, 2006.On Dec. 7, 2004, Toyota filed a third-party complaint against Baker, who moved to dismiss on Sept. 23, 2005. On Oct. 6, 2005, Toyota filed an opposition motion, and Baker replied Oct. 17, 2005. The matter was resolved at the time of settlement.

**Defense:** Allegations denied.

**Key Related Documents**

Order dismissing case as settled available.Document #99-060918-275R.

Order granting motion to seal settlement agreement available.Document #99-060918-276R.

Toyota's motion to seal settlement agreement available.Document #99-060918-277M.

Order to denying Baker's motion to dismiss third-party complaint available.Document #99-060918-278R.

Baker's motion to dismiss third-party complaint available.Document #99-060918-279M.

Judge's opinion available.Document #99-060918-280Z.

Baker's reply to the response to the motion to dismiss the third-party complaint available.Document #99-060918-281M.

Toyota's brief in opposition to motion to dismiss available.Document #99-060918-282B.

Baker's answer to third-party complaint available.Document #99-060918-283M.

Toyota's third-party complaint against Baker available.Document #99-060918-284C.

Amended complaint available.Document #99-060918-285C.

Price Toyota's answer to complaint available.Document #99-060918-286M.

Toyota Motor Sales answer to complaint available.Document #99-060918-287M.

Toyota Motor Manufacturing Canada's answer to complaint available.Document #99-060918-288M.

Calty Design's answer to complaint available.Document #99-060918-289M.

Toyota North America's answer to complaint available.Document #99-060918-290M.

Plaintiff's notice of removal from state court available.Document #99-060918-291M.

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LexisNexis Jury Verdicts and Settlement Report

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