# [***Lloyd Wallace v. Ford Motor Co., et al; 1997 Mealey's Jury Verdicts & Settlements 266***](https://advance.lexis.com/api/document?collection=jury-verdicts-settlements&id=urn:contentItem:4SB9-JYM0-0223-Y1BM-00000-00&context=)

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Feb. 3, 1997

**Headline:** Automobile Manufacturer And Dealer Prevail In New Jersey Products Liability Action Arising From Fatal ***Accident***

**Result:** Defense verdict

**Injury:** Death

**Court:** N.J. Super., Law Div., Middlesex Co.

**Plaintiff Profile**

Lloyd Wallace, individually and as administrator of the estate of Theresa R. Wallace, deceased, and as administrator ad prosequendum for Theresa R. Wallace, deceased, and for the next of kin of Theresa R. Wallace

**Defendant Profile**

Ford Motor Co.; Conti-Causeway Ford & Lincoln Mercury; Frank Tremmer t/a Cheers Pub, third-party defendant

**Case Summary**

**Claim:** Products liability

**Background:** Lloyd Wallace, on behalf of his deceased 22-year-old daughter, filed a wrongful death products liability action in the Middlesex County, N.J., Superior Court, Law Division, against Ford Motor Co., which manufactured the decedent s ***car***, and Conti-Causeway Ford & Lincoln Mercury, which sold this new ***car*** to the decedent in April 1989. Wallace s cause of action was predicated on the fact that at some point in the ***accident***, the right rear axle snapped and the right rear wheel disconnected from the decedent s ***car***. Wallace alleged a manufacturing defect in the right rear axle, which caused a wobble in the right rear wheel, which eventually led to the shear-fracture found in the right rear axle after the ***accident***. Wallace asserted that this axle snapped and that this caused the decedent to lose control of her ***car***. Ford and Conti-Causeway maintained that the decedent lost control of her ***car*** at the curve because she was drunk, (.168 blood alcohol content) and speeding at 70 mph in a 50-mph zone. Rather than causing the roll-over ***accident***, the defendants asserted that the right rear axle fractured after the ***accident*** began, when the ***car***, which became airborne several times, landed on its right rear wheel during one of the rollovers. The force of this impact with the pavement fractured the right rear axle, disconnecting the right rear wheel.

**Other:** The jury found that the right rear axle in the decedent s ***car*** was not defective while under the control of Ford and Conti-Causeway. Based on the jury verdict, the trial court entered a judgment of no cause of action in favor of Ford and Conti-Causeway. The trial court denied Wallace s motion for a judgment notwithstanding the verdict, new trial or mistrial. The judgment was affirmed on appeal.

**Defense:** Comparative negligence

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