# [***Mario DiMaria v. Harley Davidson Motor Co; 1995 Mealey's Jury Verdicts & Settlements 90***](https://advance.lexis.com/api/document?collection=jury-verdicts-settlements&id=urn:contentItem:4PTG-GD90-0223-Y4V9-00000-00&context=)

BER-L-6797-90

May 1, 1995

**Headline:** New Jersey Motorcycle ***Accident*** Victim Settles With Harley Davidson For $150,000

**Result:** $150,000 settlement (payable by Harley Davidson Motor Co.)

**Injury:** Skin and muscle surrounding the left heel were torn down to the bone

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

**Plaintiff Profile**

Mario DiMaria

**Defendant Profile**

Harley Davidson Motor Co. and Dennis

**Case Summary**

**Claim:** Products liability, defective manufacturing

**Background:** Mario DiMaria was riding his Harley Davidson motorcycle when he was struck by a ***car*** driven by Dennis. DiMaria s left foot was on the foot peg attached to the aluminum front chain housing cover, which shields the clutch plate and rotating chain. On impact, the front bumper of the ***car*** drove DiMaria s left foot into the cover, which shattered. DiMaria s heel was forced against the exposed rotating chain and clutch plate and both the skin and muscle surrounding his left heel were torn down to the bone. DiMaria sued the driver of the ***car*** and Harley Davidson in the Superior Court of New Jersey, Law Division, Bergen County. Against Harley, DiMaria claimed that a defect in the front chain housing cover aggravated his injuries. He alleged that the housing cover had been defectively designed and defectively manufactured. The other driver settled with DiMaria for his policy limits.

**Other:** Harley Davidson later pursued the manufacturer of the housing cover, Advance Die Casting Inc., for indemnity.

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