



The Associated Press

August 1, 1998

COUPLE WHO LOST SON IN TRUCK ACCIDENT WIN \$153 MILLION

CARSON CITY, NEV.- A jury awarded \$153.2 million to a couple after finding that a Ford truck that rolled and killed their 3-year-old son had a defective parking brake.

A U.S. District Court jury awarded \$150.9 million in punitive damages and the rest in general damages Friday to Jimmie and Ginnie White of Elko. Their son Walter was killed in October 1994.

The boy had climbed into the truck to look for his piggy-bank, and he fell or jumped out and went under the wheels of the Whites' 1993 Ford F-350 pickup as it rolled down their driveway.

A month later, Ford announced that it would begin to recall 884,000 vehicles to repair parking brake mechanisms. The Whites got their recall notice in March 1995, five months after Walter's death.

The recall involved 1992-94 Ford F-series pickups and Broncos, 1993-94 Ranger pickups and Explorers and 1993-94 Mazda Navajo sport-utility vehicles. The vehicles all have manual transmissions and all were built by Ford, although some were sold with Mazda nameplates.

The brakes on all the vehicles can be prevented from disengaging by themselves by the installation of a small, plastic wedge that costs 15 cents, said [Shanin Specter](#), the Whites' attorney.

Specter said the case is the first major claim to go to trial in the United States over the defective parking brake. He said the award shows that Ford was negligent for misrepresenting and failing to give an adequate warning about the problem.

"We're hopeful that the verdict will serve to inform the 884,000 vehicle owners of this defect and will cause them to take their vehicles into their dealerships and utilize the 15-cent fix," he added.

Attorneys for Ford said they were considering an appeal.

"I'm at a complete loss to understand the verdict," said James Cain, legal spokesman for Ford Motor Co. in Dearborn, Mich. "It is a large verdict.

"It was proven at the trial that the parking brake on this vehicle was not engaged," Cain said. "Therefore, how can a defective parking brake have contributed to the accident?"

Cain said the boy was able to get into the truck because a door had been left open and "either the parking brake wasn't engaged or he somehow caused it to be released" before falling or jumping out of the truck.

But attorneys for the Whites said the brake disengaged by itself after the boy accidentally moved the gear shift into neutral.