

# Mitsubishi's Trial Loss Over Defective Seat Belt Upped To \$1B

By **Gina Kim**

Law360 (May 1, 2024, 7:04 PM EDT) -- A Philadelphia judge has bumped up a \$980 million verdict for a Mitsubishi driver left paralyzed following a rollover crash, which was blamed on a defective seat belt, to over \$1 billion on Monday, after granting the driver's motion to tack on an additional \$33 million in delay damages.

"It is ordered and decreed that delay damages in the amount of \$33,381,011.31 are added to the verdict in favor of plaintiff against defendant Mitsubishi Motors North America Inc. and that the verdict is molded accordingly," Philadelphia Court of Common Pleas Judge Sierra Thomas Street's April 29 order said. "It is further ordered and decreed that the compensatory portion of the verdict is molded to a total amount of \$209,969,395.32 and that entire verdict including punitive damages is molded to a total amount of \$1,009,969,395.12."

The court issued its order after rejecting Mitsubishi's request to vacate the original verdict. Monday's decision increasing the plaintiff's award comes several months after a Philadelphia jury ordered Mitsubishi to pay \$980 million to Francis Amagasu, who was left paralyzed following a vehicle crash that occurred in 2017.

The jury last fall had awarded Amagasu and his family \$180 million in compensatory damages, and \$800 million in punitive damages, after the belt in his 1992 Mitsubishi 3000GT failed to restrain him during a 45-mph rollover crash, according to the plaintiffs' counsel.

Amagasu's complaint alleged that the crash occurred on Nov. 11, 2017, in Buckingham Township, Pennsylvania. Amagasu and his son, Katsutoshi Amagasu, were belted in the vehicle, but Francis' seat belt failed during the crash, and he suffered catastrophic spinal cord injuries that rendered him unable to move his arms or legs.

The \$980 million verdict at the time easily lapped one of Philadelphia's previous biggest verdicts, which was a **\$182.7 million award** in a medical malpractice case against the Hospital of the University of Pennsylvania, which the hospital and individual physicians **had been fighting to overturn as excessive**.

Amagasu had alleged Mitsubishi was negligent in its design of the car and seat belt to prevent the driver from being partially ejected or crushed in a rollover crash, with the jury instructed to focus on whether the belt allowed excessive "slack," and wouldn't properly restrain its wearer even if used correctly.

Mitsubishi had countered the belt was crashworthy and that Amagasu's injuries were the result of his operating the car recklessly leading up to the crash. The trial started on Oct. 20 before Judge Street.

The jury deliberated less than five hours on the compensatory damages, and spent only 20 minutes considering the punitive damages request, according to the plaintiffs' team. Amagasu's family had already settled with the car dealership named in his original complaint.

Charles L. Becker of Kline & Specter PC, one of the attorneys representing the plaintiffs, said the Amagasu family is heartened by Judge Street's affirmation of the jury's verdict in all respects.

"They hope that Mitsubishi takes to heart these careful determinations by the jury and court, and

that Mitsubishi takes steps to evaluate all of its design and engineering processes so as to avoid future catastrophic injuries such as occurred here," Becker's statement reads.

In an email to Law360 on Wednesday evening, Mitsubishi's co-counsel Emily J. Rogers of Campbell Conroy & O'Neil issued the following statement: "Mitsubishi Motors respectfully disagrees with the trial court's decision to uphold the verdict and intends to appeal to the Pennsylvania Superior Court. Mitsubishi Motors stands behind the design of the restraint system of the 1992 3000GT."

Amagasu is represented by Stewart J. Eisenberg, Nancy J. Winkler, Daniel J. Sherry Jr. and Jessica A. Colliver of Eisenberg Rothweiler Winkler Eisenberg & Jeck PC, Charles L. Becker of Kline & Specter PC and Kyle W. Farrar and Wesley T. Ball of Kaster Lynch Farrar & Ball LLP.

Mitsubishi is represented by William J. Conroy, Emily J. Rogers and Kiernan G. Cavanagh of Campbell Conroy & O'Neil.

The case is Amagasu et al. v. Mitsubishi Motors North America et al., case number 181102406, in the Court of Common Pleas for Philadelphia, Pennsylvania.

--Additional reporting by Matthew Santoni. Editing by Jay Jackson Jr.

*Update: This article has been updated to reflect a statement from Mitsubishi's counsel.*