

\$2.7 MILLION SETTLEMENT SECURED BY BEASLEY ALLEN FOR FAMILY OF MONTGOMERY MAN KILLED BY EXPLODING AIRBAG

Man's death was caused by shrapnel from defective Takata airbag inflator.

Montgomery, Ala. (February 7, 2023) – Beasley Allen and The Vance Law Firm reached a \$2.7 million settlement for Tocarious Johnson's family after the young man was killed by exploding shrapnel from a defective Takata airbag inflator. Beasley Allen's Chris Glover and Alyssa Baskam with Stewart Vance and Kyle Weidman of The Vance Law Firm represented Johnson's family.

"Mr. Johnson didn't have to die, but the defendants failed him time and again," said Beasley Allen attorney Chris Glover. "The problems started with a defective product that should have been made safer. The problems grew as the defendants passed up each opportunity to do the right thing and inform the consumer of the dangers described in the recall. Instead, A young man was robbed of his life, and he leaves behind grieving family and friends."

Authorities initially thought the 20-year-old had suffered a gunshot injury, but an autopsy revealed Johnson died from injuries he sustained when the Dodge Charger he was driving left the roadway and crashed. The lawyers uncovered evidence that the driver's side airbag inflator ruptured violently during the accident, much like a hand grenade, shooting shrapnel from the metal inflator towards Johnson

Johnson purchased his 2010 Dodge Charger, manufactured by defendant Chrysler, from 2nd Chance Auto Sales Feb. 19, 2022. At that time, the vehicle was subject to two recalls issued by the National Highway Traffic Safety Administration (NHTSA). NHTSA issued the recalls over safety concerns with the driver's and passenger's side airbag inflators. According to the recalls, the inflators could rupture due to excessive internal pressure when the airbags deployed. Defendant 2nd Chance Auto Sales did not complete the recalls on the Dodge Charger it sold to Johnson.

Defendant B&H Investments conducted maintenance on Johnson's vehicle multiple times following the recalls. Yet, B&H failed to act or warn Johnson the recalls had been issued.

The plaintiffs argued that the defendants were required by the Alabama Extended Manufacturer's Liability Doctrine to warn customers like Johnson of the recalls but failed to do so. Their failure contributed to Johnson's tragic and senseless death.

The case is Chiquita Vinson v. FCA US LLC, et al., filed in the U.S. District Court for the Middle District of Alabama, case number 2:22-CV-00484.

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Media@BeasleyAllen.com
334-495-1511 (Call or Text)
www.BeasleyAllen.com