

## Specialty area - auto product liability defense

By **TERESA WARREN**  
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Attorneys looking to practice in an area of law that "never has a dull moment" should look no further than automobile product liability defense, according to Vickie Turner, a partner with **Wilson Petty Kosmo & Turner LLP** in San Diego. The law firm has built a significant specialty practice -- and a significant reputation for success -- in this growing area of the law. Some of Wilson Petty's automotive manufacturing clients include **Ford, Honda, Harley Davidson, Mazda and General Motors Corp.**, for whom the firm is western regional counsel, covering a 13-state area.

Turner, who has worked in the field since she became a lawyer in 1982, views the product liability niche as "challenging." It never grows old, Turner will tell you, and "working in this area requires you to be a trial attorney, not just a litigator."

At Wilson Petty, five attorneys and five paralegals handle the firm's automotive product liability practice, with Turner leading the team. Meryl Maneker and Rob Shields, also partners of the firm, are the other senior members of the group. Other Wilson Petty partners, including Regina Petty, Fred Kosmo and Robin Wofford, have auto product liability experience and handle trials in the practice area.

About 80 percent of Turner's practice is devoted to automobile product liability; others in her group practice exclusively in the area. In addition to automobile product liability, the firm does other types of product liability defense work



*Wilson Petty Kosmo & Turner's auto product liability defense team is (front row, from left) Christina Suarez, Vickie Turner, Meryl Maneker, Levita Johnson, Mark Cumba, and (back row, from left) Christian Scott, Rob Shields, Sharyll Brown, Twyla Tercero, Desi Nintcheva and Greg Jones.*

ranging from forklifts to drugs and medical devices.

Based in San Diego, Wilson Petty Kosmo & Turner has a national reputation for its litigation accomplishments. The firm's 20 attorneys also practice in the areas of employment law, warranty law, first amendment law, class actions, healthcare law, trade secrets and business litigation. It is also one of the largest female-owned firms in the nation.

While many of the automobile liability lawsuits do settle, more cases in this area go to trial than in many other areas of law, in part because the stakes are high and the claims are

emotional. A plaintiff's verdict can cost an automaker millions of dollars and make them highly vulnerable to additional litigation by other plaintiffs with the same claims.

Wilson Petty has hundreds of examples of varied types of claims that they have successfully defended. Among them is the defense of an automobile manufacturer in a wrongful death suit that involved roof and seatbelt failure allegations, another involved amputations and third degree burns due to the alleged failure of a "midship" fuel tank, and yet another in which a teenager suffered brain damage as a result of alleged defects in her passenger restraint system.

A case that Turner took on only a few weeks before trial in Sacramento was included in the Top 20 Defense Wins for 2003 compiled by VerdictSearch. The \$1 million plus product liability claim involved the safety of the car heater in a Ford Explorer. After two weeks of trial, Turner and her trial partner, Maneker, were relieved when the jury came back in three hours determining there was no defect under either the risk benefit test or the consumer expectation test. If the verdict had gone the other way, the litigation floodgates could have opened for Ford, costing the company extensive time and resources.

Wilson Petty has also been extensively involved in the Ford/Firestone tire litigation. Turner was selected by Ford as one of a limited number of attorneys to work on those cases in a six state region. *(continued)*

The firm has five automotive product liability trials scheduled this year starting in the summer, each in a different state: Alaska, Washington, Colorado, Nevada and California. Each involves double fatalities or devastating injuries such as quadriplegia or facial disfigurement.

Turner believes her success in the unique legal area is in part because she is not a "car person." She believes that if she can understand the concepts and specifications that are presented, so can a jury. This also enables her to explain these concepts and details in a way a jury can understand.

The Wilson Petty team is one of the few female-led groups to have a national reputation in automobile product liability litigation. Women are a rarity in the specialty and in the car industry in general, primarily because car manufacturing professionals typically have engineering degrees and few women have chosen that profession.

Over her 24-year career, Turner has seen the area of law change. Turner views automotive product liability as a growing area of law "limited only by the creativity of claimants." In recent years the firm has seen more pattern litigation -- cases involving the same allegations -- in large part due to the media's interest in automotive product liability issues. Turner and the Wilson Petty team enjoy their work immensely, and one reason is because of the clients with whom they work, usually in-house counsel for the auto companies. According to Turner, "they are sophisticated legal consumers...they know what to ask, they have experience and they are good clients."

Given her exposure to thousands of automotive product liability claims, what kind of car does Turner drive?

"I drive the cars my clients make," she says diplomatically.

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