Overview

Dykema has more than 95 years of experience providing legal services to the automotive industry and recently received recognition as Law360’s 2019 Transportation Practice Group of the Year. Recognized as a nationwide leader in automotive product liability and product recall litigation, we understand the complex competing considerations involved in product design and development, testing, integration, and manufacturing, and we know how to win cases by explaining difficult scientific principles to judges and juries. We have defended thousands of product liability claims for a wide range of automotive products, systems and components including wheels, tires, brakes, suspension systems, airbags, seat belts, fuel systems, vehicle control and stability systems, roof structures, window glass, transmissions, seats, seat heaters, electrical switches and systems, and an entire spectrum of crashworthiness claims. We defend and try personal injury, wrongful death cases, property damage claims, and product recall and related product defect litigation—including class actions—across the country.

Named a “well-regarded automotive product liability firm” by Chambers USA 2020 and ranked among the top three firms nationwide in automotive product liability, mass tort and class actions and the top seven firms nationwide in transportation litigation by The Legal 500 US 2019, Dykema’s team provides high quality and high value litigation, trial and appellate, and counseling services to the worldwide automotive industry, including automakers, automotive products manufacturers and Tier 1, 2 and 3 suppliers. We also help our clients avoid potential litigation with proactive product development counsel and advice.

Our product liability lawyers represent clients in courts across the country in a wide range of complex, high-profile cases involving high-stakes product liability, class action, and toxic tort claims. In addition to successfully defending at trial claims brought in some of the most challenging venues, Dykema is nationally acknowledged as a leader in case management and discovery counsel services. We take an active role in early case assessment and determine the correct data sources and parameters for data review (e.g., timeframe, custodians, keywords, use of artificial intelligence filtration, and others). Such careful control and attention at the outset pays dividends in efficiencies through the end of the discovery process.

Our defenses of even the toughest bet-the-company product liability lawsuits are predicated on our intimate knowledge of the technical features of our clients’ products, automotive design and development procedures, governmental and industry standards and practices, access to expert witnesses, and by our ability to quickly identify the key issues surrounding each claim. The result is a sustained record of bringing even the most challenging automotive-related product liability lawsuits to verdict in some of the nation’s toughest jurisdictions.

Experience Matters

- **Alexander v. Kia Motors America, Inc.** After unsuccessfully contesting class certification with prior defense counsel, Kia retained Dykema to conduct merits discovery and try this Orange County, California, state
court class action alleging unfair business practices in connection with the design of rear seat belt systems. Dykema obtained a defense verdict.

- **Chrysler v. Hutchinson FTS.** Dykema obtained a jury verdict of $47.3 million in Oakland County, Michigan, in favor of an auto manufacturer against a Tier 1 supplier in a supplier warranty cost recovery action.

- **Evangelista v. Key Safety Systems.** Dykema obtained a defense verdict after a two-week trial for Key Safety, a global leader in the design, development and manufacturing of automotive safety-critical components and systems. Plaintiff alleged faulty deployment of a front passenger airbag. However, after hearing Key’s evidence, a Bergen County, New Jersey jury rejected plaintiff’s claims and exonerated Key Safety’s technology.

- **Katzkin Leather v. Nissan North America, Inc.** Dykema obtained summary judgment and collected costs against an after-market leather supplier and several auto dealers on claims that an auto manufacturer engaged in unfair trade practices and interfered with contractual relations by advising dealers it was unsafe to install after-market interior leather trim on front seats in vehicles equipped with advanced airbag technology.

- **Kline v. General Motors.** Dykema obtained a defense verdict in St. Louis City, Missouri, after a four-week trial of allegations that a fuel system design defect caused a post-collision fire and burn death of a 16-year-old occupant of a sport utility vehicle. The court of appeals affirmed the decision.

**Publications**

"The top 5 9th Circuit civil cases of 2019"
December 30, 2019
*The Daily Journal*

"How does autonomous vehicle technology impact automaker liability?"
September 12, 2019
*Automotive World*

“Successful Manufacturing Contracting—It’s More than Standard Terms and Conditions”
February 2018
*Manufacturing Today*

"Decision in Genesis Healthcare Leaves Key Question Unanswered"
April 18, 2013
*IADC Class Action and Multi-Party Litigation Committee Listserv*

"State of the Automotive Industry"
October 17, 2012
*Dykema Publication*

Article on *Mazza v. Honda Motor Co.* Decision
March 2012
*International Association of Defense Counsel, Class Action and Multi-Party Litigation Committee Newsletter*

"The Legal Implications of the Disaster in Japan"
July 3, 2011
*Autobeat Insider Perspectives*

"Speed Bumps Ahead"
May 20, 2011
*The Deal Magazine*

"Regulation of the 'Connected Vehicle’—Issues and Models"
March 14, 2011
*Product Safety & Liability Reporter, BNA*
Speaking Engagements

Absolute Liability and *Res Ipsa Loquitur*: Dangerous Legal Concepts Potentially Stifling Autonomous Vehicle Innovation
August 20, 2019

Critical Considerations: Autonomous Vehicle Product Liability and Potential Legal Risks
January 15, 2019

The Convergence of Automotive, Product, Class Action, and Consumer Litigation
October 16, 2018

*New PVC Regulations and the Implications on Customer/Supplier Pricing*, Motor Vehicle Metals and Resins Conference

October 24, 2017

*Legal Challenges: Product Liability, Cybersecurity, Privacy, Ethics, Insurance, and Regulatory Compliance*, moderator, Autonomous Vehicle Safety Regulation World Congress
October 24, 2017

*Product liability: bump in the road or big pothole?*, Autonomous Vehicle Safety Regulation World Congress
October 24, 2017

*Emerging Issues in Motor Vehicle Product Liability Litigation—Distracted Driving*
September 20, 2016

Technology and the Law: Accelerating the Next Revolution in Roadway Safety
October 18, 2016

Technology and the Law: Autonomous Vehicles
April 12, 2016

October 27, 2015

*Class Action Developments: What Automotive Product Liability Defense Lawyers Need to Know*, DRI Product Liability Conference
April 4, 2013

Automotive Industry Outlook 2013
December 12, 2012

Autobeat Insider Conference: Getting it Right
September 20, 2012

Automotive Institute: Retail Auto Distribution Today
May 17, 2012

Automotive Institute: Legislative and Regulatory Issues Currently Impacting the Automotive Industry
April 18, 2012

*Blockbuster Developments in Class Action Litigation*, Co-Panelist, 22nd ABA Conference on Automotive Product Liability Litigation, Phoenix, Arizona
March 28-30, 2012

*Bridging the Divide: Plaintiff and Defense Counsel Mediation Summit*, Panel Co-Moderator and Co-Chair of Conference, 22nd ABA Conference on Automotive Product Liability Litigation, Phoenix, Arizona
March 28-30, 2012

March 28-30, 2012