

Products Liability Law Reporter 2002 Annual Index and Table of Cases for Volume 21

CONTENTS

How to Use This Index	PL-2
General Index by Subject	PL-3
Table of Cases	PL-8
News	PL-15
Federal Agency Actions	PL-15
Injury Awards	PL-16
Insight	PL-16
Wrongful Death Awards	PL-17

How to Use This Index

The *Products Liability Law Reporter* Annual Index is designed to make your 2002 issues of the *Products Liability Law Reporter* a reliable and accessible research tool. Here are a few things you should know to make the best use of your index:

General Index by Subject (page PL-3). The major subject headings in the General Index correspond to the areas covered in each issue of the *Products Liability Law Reporter*.

To locate a particular kind of case, first determine which area your inquiry falls into. Entries within each subject include both factual and legal issues. The numbers after the entries are the page numbers in Volume 21 of the *Products Liability Law Reporter* where the cases appear.

Table of Cases (page PL-8). This table includes the most complete citations available as of November 2002.

News (page PL-15). This index lists products and issues that have been discussed in news stories appearing in the *Reporter*.

Federal Agency Actions (page PL-15). This index lists products involved in administrative actions taken by federal agencies.

Injury Awards (page PL-16). Entries in this section will direct you to cases in the *Products Liability Law Reporter* that contain awards of damages for particular types of injuries. The following abbreviations are used in this section of the index: V for verdict; S for settlement; SS for structured settlement; PVS for postverdict settlement; AA for arbitration award; PAS for postarbitration settlement; M for mediation. An asterisk beside an entry indicates plaintiff suffered injuries in addition to the one(s) listed.

Insight (page PL-16). This index lists bylined articles that have appeared in the *Reporter* by author and by subject.

Wrongful Death Awards (page PL-17). This table lists the wrongful death awards reported in Volume 21 of the *Products Liability Law Reporter*. The following abbreviations are used in this section of the index: V for verdict; S for settlement; SS for structured settlement; PVS for postverdict settlement; AA for arbitration award; PAS for postarbitration settlement; M for mediation.

To Obtain Further Information About a Case. The *Products Liability Law Reporter* provides pleadings, depositions, briefs, and other court documents through the Court Document Sets section each month. That column also provides a list of Abstract Sets—each set includes a collection of case summaries appearing in the *Reporter* from 1993 to the present. You can also order Ultimate Documents, which include documents from at least seven different cases on the topic, an abstract set, and a bylined article. The best source for additional information about a case is plaintiff's counsel. The name and location of plaintiff's counsel is provided, where possible, at the end of our report of the case. Your ATLA membership directory will provide you with the complete address and telephone number of any ATLA member. The directory is available online at www.atla.org.

Association of Trial Lawyers of America
Products Liability Law Reporter
Leonard M. Ring Law Center
1050 31st Street, N.W.
Washington, DC 20007

Editor in Chief Peter C. Quinn
Managing Editor Christine M. Mollenauer
Contributing Writer Liane Leshne
Editor Margaret Herman
Contributing Editor Linda Friedman
Publications Specialist Jennifer Accongio

General Index by Subject

I. Specific Products

aircraft

- Black Hawk helicopter, 101
- Cessna A185E single-engine airplane, seat rail, 117
- TH-1L Navy surplus helicopter, 140

children's products

- crib, portable, 151

commercial products & equipment

- chair, 47
- escalator, 4, 102
- lawn mower, 172
- lead paint, 61
- parking lot gate, 133
- police radio, 3
- security system, bank, 171

consumer products

- cigarette lighters, 47, 48, 61
- dietary supplements, 142, 183, 207
- video games, 72

drugs

- Accutane, 141, 141
- acebutolol hydrochloride, 153
- acne medicine, 141, 141
- alosetron hydrochloride, 143, 152
- antidepressant, 48
- anti-inflammatory drug, 131
- Biaxin, 162
- cisapride, 27
- dexfenfluramine, 38, 107
- diabetes medication, 88, 132
- ephedrine, 142
- Etoldolac, 153
- fen-phen, 38, 107, 152
- fenfluramine, 38, 107, 152
- heartburn medication, 27, 82
- irritable bowel syndrome medication, 143
- kava, 98
- Lactaid, 28
- lactation suppressant, 28, 28, 87, 108
- Lipokinetix, 39
- Lodine, 153
- Lotronex, 143, 152
- Meridia, 97, 162, 163
- Methergine, 108
- norephedrine, 39
- Norvir, 162
- Parlodol, 28, 28, 87, 88, 88, 88, 108, 153
- Paxil, 48
- phentermine, 38, 107, 152
- phenylpropanolamine, 39, 152
- Pondimin, 38, 152
- Propulsid, 27, 82
- Pro Som, 162
- Reductil, 97
- Redux, 38, 107
- Rezulin, 88, 132, 132
- rofecoxib, 99
- sibutramine, 97
- sodium chloride, 4
- Toradol, 131
- Vioxx, 99
- weight loss treatment, 39

farm products & equipment

- animal feed, 67
- fungicide,
 - Benlate, 209
 - Benlate DF, 5

- hay baler, 209
- herbicides, 5
 - Banvel, 132
 - Bicep, 132
- pesticide, 88
 - CheckMate SF(R), 88

firearms

- air gun, 16
- generally, 37, 37, 37, 37, 37, 56, 57, 57,
 - 141, 141, 161, 161, 161, 161, 205, 205
- "Saturday night special," 205
- shotgun, 12-gauge, 133

food & beverages

- beans, canned, 67
- beef, ground, 183
- candy, 29, 39, 58, 119, 163
- catered meal, 133
- chocolate, 119
- konjac, 29, 39, 58, 163
- powdered infant formula, 120
- raw oysters, 29
- sandwich meat, 30, 206
- seafood, 207
- soda, 89
- sprouts, 79
- tortilla chips, 89

household products & equipment

- candle wicks, lead-cored, 121
- carpet adhesive, 191
- dishwasher, 184
- electric stove top burner, 90
- elevator, 49
- exercise equipment, 16
- fire starter paste, 7
- gas-fired water heater, 90
- latex gloves, 22
- lawn tractor, 41
- pesticides, 6, 62
 - Baygon, 69
 - Dragnet, 69
 - Dursban, 6, 69, 134
- pot, 30
- propane gas, 6
- router, 192
- washing machine, 68
- water heater, 90

housing

- joint compound, 8
- lead paint, 61
- lot, 91
- roof trusses, 91
- stucco, 172
- wall texture material, 8
- window systems, 7
- windows, 7
- wood preservative, 172

industrial products & equipment

- Agent Orange, 70
- anhydrous ammonia tank, 134
- asbestos, 51, 52, 52, 205
- asbestos-containing pipes, 92, 109, 109, 153
- asbestos-containing products, 8, 70, 92,
 - 109, 153, 193, 193
- backhoe loader, 71
- blow-mold machine, 92
- bottle manufacturing machine, 8
- bulldozer, 109
- catwalk, 9

- cement, 209
 - chain saw, 9
 - chemicals,
 - benzene, 136
 - methyl tertiary butyl ether, 32
 - pesticide, 108
 - tobacco smoke smell remover, 30
 - chip-spreader machine, 195
 - circuit breaker, 135
 - conveyor belt, 110
 - conveyor system, portable, 92
 - cotton garnetting machine, 69
 - ditchdigger, 173
 - dust masks, 92
 - dyeing machine, 136
 - excavator, 31
 - fire alarm system, 108
 - forklift, 154
 - furnace, 81
 - gas tank, 32
 - joint compound, 8
 - ladder, 70
 - metal sorting machine, 33
 - pallet truck, 194
 - paperboard drums, 49
 - petroleum fuels, 136
 - pneumatic nailer, 50
 - portable conveyor system, 92
 - punch press, 173
 - sliding entry gate, 133
 - spindle shaper, 110, 110
 - staking machine, 32
 - starter, electrical, 174
 - switchgear, 174
 - tampers, 134
 - trash compactor, 50, 194
 - wall texture material, 8
 - woodchipper, 135, 135
- ### medical products & equipment
- balloon catheter, 196
 - blood, 137
 - blood factor concentrates, 112
 - bone cement, 155
 - breast implants, silicone, 51
 - cancer test, 156
 - dental amalgams containing thimerosal,
 - 142, 142
 - dialyzers, 14, 58
 - diphtheria-pertussis-tetanus vaccine, 53
 - glucose monitoring kits, 156
 - hemophilia factor concentrates, 112
 - hip implants, 14, 15, 72, 77, 126
 - intravenous tube and catheter, 111
 - knee implants, 15, 77, 77, 126
 - latex gloves, 10, 22, 111, 111
 - liquid sterilants, glutaraldehyde-based, 10
 - needle-bearing medical devices, 52
 - nicotine,
 - delivery system, 97
 - water, 97
 - oxygen unit, portable, 174
 - surgical gel, 195
 - thimerosal, 141, 142, 142, 142, 142, 142,
 - 142, 142, 142, 142, 142
 - ultrasound machine, 175
 - vaccines, pediatric, 141, 142, 142, 142,
 - 142, 142, 142, 142, 142, 142, 142
 - ventilator, 53

motor vehicle accessories/components

axle, 157
battery box, 55, 181
black box data recorder, 117
child safety seats, 35, 35, 61, 119, 202, 202
door latch, 54
flexible radiator fans, 17
front differential, 138
fuel pump, 36
fuel system, 76, 96, 114, 146, 178, 181, 182
fuel tanks, 11, 13, 209
liftgate latch, 61
manual ratchet system, 113, 113, 114
manual ratchet tie-down system, 95
motorcycle helmet, 113, 139
occupant protection systems,
 air bags, 61, 115, 116, 117, 118, 201, 203
 knee bolster, 126
 seat belts, 12, 36, 54, 54, 61, 74, 76, 96,
 140, 157, 178, 180, 203, 204
 shoulder restraint, 126
 three-point system, 179
 lack of, 180
pitman arm, 118, 205
ratchet system, 113, 113, 114
rear-brake flasher, 94
refrigeration unit, 11
rim and tire assembly, 115
roof, 114, 179
seat back, 36, 200
seat back recliner, 36
shift-interlock device, 78
side-saddle gas tank, 55
steering knuckle, 116
steering system, 138
suspension, twin I-beam, 75
thick film ignition (TFI) module, 158
tie-down system, 95
tire rim, 55
tire rim assembly, 115
tire valve, 139
tires, 12, 15, 38, 42, 55, 57, 62, 75, 119,
 145, 178, 180, 199, 200, 206
trailer, 95, 113, 113
wheel, 178
windshield header, 114

motor vehicles

all-terrain vehicles,
 Kawasaki Bayou 300, 138
 Yamaha, 209
 Yamaha Timberwolf, 138
minivans,
 DaimlerChrysler, 61
 Dodge Caravan,
 (1989), 74
 (1994), 140
 Plymouth Grand Voyager (1998), 114
 Plymouth Voyager (1994), 201
Ford, 82
 Aerostar (1992), 140
 Windstar (1996), 118
motor homes, 11
 Winnebago Brave (1994), 34
passenger cars,
 DaimlerChrysler Jeep Grand Wagoneer
 (1989), 139
Ford,
 Capri (1991), 203
 Crown Victoria (1992 - 2002), 182
 Crown Victoria (1995), 118, 209
 Escort (1987), 54, 209
 Granada (1976), 181

Mercury Tracer (1995), 179
Mustang (1989), 158
Taurus (1993), 96
General Motors,
 Chevrolet,
 Beretta (1996), 35
 Lumina (1995), 13
 Oldsmobile Delta 88 (1993), 160, 209
 Oldsmobile Regency 98 (1990), 76
 Pontiac Grand Prix (1992), 76
Honda,
 Prelude (1997), 180
Hyundai Sonata (1993), 36
Mazda,
 929 (1993), 54
 626 DL (1995), 36
 GLC (1982), 180
Mercedes Benz S420 (1999), 116
Saturn SL (1999), 36
Toyota,
 Corolla (1995), 160
Volkswagen Jetta, 75
sport-utility vehicles (SUV), 21, 42, 61, 62,
 119, 122, 123, 123, 123, 126
DaimlerChrysler,
 Jeep,
 Grand Cherokee (1993-1998), 78
 Grand Wagoneer (1989), 139
 Grand Wagoneer (1993-1998), 78
Ford, 61, 126
 Bronco II (1984), 204
 Bronco II (1988), 75
 Explorer, 119, 145, 159, 180, 200, 209
General Motors,
 Chevrolet Blazer (1995), 178
 Chevrolet Suburban (1995), 12
 Geo Tracker (1995), 54
 Suburban (1993), 11
Suzuki, 21
tractor-trailer, 181
trailer, 199
truck,
 Chevrolet,
 S-10 pickup (1997), 179
DaimlerChrysler,
 Dodge Durango, 78
Ford, 94
 F-150,
 (1988), 200
 (1992), 114
 (1995), 114
 (1997), 95
 Ranger (1998), 117
General Motors,
 Chevrolet S-10 (1996), 115
 medium duty tow (1996), 55
Isuzu,
 pickup (1990), 178
van,
 Ford,
 Econoline (1997), 94
 Econoline E-350 (1999), 139

recreational products & equipment

aboveground swimming pool, 137, 138
air guns, 16
amusement park ride, 176, 176
baseball bat, 93
boat, 93, 197
exercise equipment, 16, 73
leg press, 73
motorboat, 62
paintball mask, 175

personal watercraft, 73
rappelling equipment, 176
rope swing, 73
trampoline, 34
video games, 72
water ride, amusement park, 176
whirlpool bath filter, 33

tobacco

cigarettes, 97, 156, 177, 197, 198, 198
cigars, 74
generally, 22, 56, 56, 77, 77, 78, 78, 78,
 78, 78, 97, 101, 102, 161, 161, 162,
 162, 162, 162, 177, 182, 199, 205
lozenges, 97
nicotine delivery system, 97
nicotine water, 97

II. Legal Theories

abuse of discretion

exclusion of evidence constitutes, 30, 134
grounds for reversal, 53
judicial questioning of witness, 137
jury instructions, 61, 126, 135

access to documents

right to intervene in litigation,
 consumer groups, 57
 media organizations, 42

aggressive marketing

drugs, 27, 48
dust masks, 92

assembly instructions, inadequate

bulldozer screens, 109

bystander recovery

requirements, 50

childproofing

cigarette lighter, 47, 48

cigarette content litigation

adulteration with additives, claims not
 barred by immunity suit, 199
failure to accurately label, 77
manufacturers ordered to turn over recipes,
 56

civil racketeering

fungicide, 5

concealment of danger

fraudulent, in cigarette advertising, 177

conspiracy

civil, 156

consumer expectation test

complex products, applicable to, 76
firearms, applicable to, 141

contamination-prevention policies, failure

to comply with

herbicide, 5

contract, breach of

herbicide, 5

corporate guidelines, failure to comply

with

firearms, 133

sandwich meat, 30

crashworthiness

allocation of fault, 75, 75

door latch, 54

fuel pump, 36

fuel tank, 11, 13

minivan, 114, 140

motor home, 34

occupant protection system, 12, 179

passenger car, 35, 160, 209

pickup truck, 96

roof, 114, 139, 179

sport-utility vehicle (SUV), 178

windshield header, 114

criminal conduct
knowingly harming the elderly, 72

declaratory judgment
distributor in shoes of bankrupt manufacturer, 7
retailer in shoes of bankrupt manufacturer, 7

design not appropriate for use for which product was marketed
police radio, 3

discovery
abuses, 72

evidence
circumstantial evidence, 114, 134, 192
deposition testimony as basis for summary judgment, 29
expert testimony,
admissibility of, 21, 28, 28, 30, 33, 50, 51, 70, 89, 96, 134, 137, 161
applicability of *Daubert*, 70
applicability of *Frye*, 89
case studies,
weight of evidence as compared to epidemiological studies, 51
epidemiological studies,
requirements for reliance on, 28, 28, 30
weight of evidence as compared to case studies, 51
exclusion constitutes abuse of discretion, 30
hostile questioning by judge, 137
relevancy, 50
reliability,
circumstantial basis, 134
novel scientific theory, 33
subjective basis, 96
requirement to provide, 114, 116
sufficient to establish prima facie case, 31
reconstruction, 158
safer alternative, 73, 74, 114
sufficiency of, 81, 82, 114, 116
videotaped, admissibility of, 4, 94, 102, 204

factual error
grounds for reversal, 53

federal regulations, failure to comply with
motorcycle helmet, 114, 139

fraud
in advertising,
in marketing, 5, 38, 197
on a federal agency, 108, 108

improper food handling
sandwich meat, 30

improper installation
propane gas line, 6

industry custom, failure to comply with
chain saw, 9
metal sorting machine, 33
pickup truck, 114
propane gas, 6
staking machine, 32

inspect, failure to
roof trusses, 91

labeling, inadequate
chocolate, 119

legal error
grounds for reversal, 53

manufacturing defects
aircraft oil transfer tubes, 200
all-terrain vehicle, 138
anhydrous ammonia tanks, 134
bulldozer protective screens, 109
fuel system, 13, 114
hip prostheses, 72, 77
occupant protection system, 12
pitman arm, 118
steering knuckle, 116
tire valve, 139
tires, 12, 38, 75

misrepresentation
deliberate campaign to misinform, cigarette advertising, 177

negligent
construction, 7, 9
design, 110
distribution, 57
filling of prescriptions, 131
inspection, 14
manufacturing, 11, 67, 114, 135
sale, 133
supply of a mislabeled product, 5
testing, 14

public nuisance
firearms, 37, 37, 56, 57, 141

recall, failure to
air guns, 16
exercise equipment, 16
router, 192

report injury information, failure to
exercise equipment, 16

res ipsa loquitur
beans, canned, 67

retrofit, failure to
blow-mold machine, 92

risk-utility test
excavator, 31
leg press, 73

safer alternative design
air gun, 16
airplane seat rail system, 117
backhoe loader, 71
battery box, 55
blow-mold machine, 92
bottle manufacturing machine, 8
brake-shift interlock device, 94
bulldozer screens, 109
catwalk, 9
chain saw, 9
chair, 47
child safety seat, 35
cigarette lighter, 61
cotton garnetting machine, 69
doors, 54
elevator, 49
escalator, 4
excavator, 31
fire starter paste, 7
fuel pump, 36
fuel system, 76
fuel tank, 13
intravenous tube and catheter, 111
manual ratchet tie-down system, 113, 113
metal sorting machine, 33
motor home refrigeration unit, 11
motorcycle helmet, 113, 139
multi-piece tire rim assembly, 115
occupant protection system, 36, 54, 118
paperboard drum, 49
passenger car, 35
pickup truck, 95
police radio, 3
portable conveyor system, 92
pot, 30
propane gas, 6

rear-brake flasher, 94
roof trusses, 91
rope, 73
seat belt, 157
side-saddle tank, 55
spindle shaper, 110, 110
staking machine, 32
trailer, 113, 113
trampoline, 34
ventilator, 53
washing machine, 68
water heater, 90
whirlpool bath filter, 33
woodchipper, 135

state constitutions
statutes in violation of,
abrogation of vested right, 51
criminalizing previously legal conduct, 52
nondelegation doctrine, 107

statutory violations
failure to comply with building codes,
propane gas, 6

strict liability
contractual limitations on, allowable, 108
distributor,
firearms, 37
housing developer, 7
lot developer, 91
manufacturer,
cigarette lighter, 47
fire alarm, 108
firearms, 37
ladder, 70
party influencing product design, 113, 113

successor liability
firearms, 37

test, failure to
drug, 88

trade association liability
dental amalgams containing mercury, 142
firearms, 56, 141

training
failure to provide, instruct users as to proper use, 33

trespass to chattel
contamination of animal feed, 67

U.S. Constitution
Commerce Clause, 56, 78
Due Process Clause, 78
Equal Protection Clause, 78
taking, 56

Uniform Commercial Code
tour operator that served meals defined as merchant, 133

unreasonably dangerous product
all-terrain vehicle, 138
asbestos, 52
asbestos-containing products, 8, 92, 152, 154
baseball bat, 93
boat, 93
candy, 29
child safety seat, 35, 35
chocolate, 119
cigarettes, 198
cotton garnetting machine, 69
crib, portable, 151
dental amalgams containing mercury, 142
dialyzers, 14
drugs, 27, 48, 88, 132, 141, 141, 152
dyeing machine, 136
excavator, 31
fire starter paste, 7

fuel tank, 11
 herbicide, 5
 intravenous tube and catheter, 111
 leg press, 73
 manual ratchet tie-down system, 95
 methyl tertiary butyl ether, 32
 motor home, 34
 motorcycle helmet, 139
 multi-passenger van, 139
 multi-piece tire rim assembly, 115
 occupant protection system, 12, 36, 54, 76, 116, 117, 140
 portable conveyor system, 92
 rear-brake flasher, 94
 rope, 73
 seat back, 36
 seat back recliner, 36
 sport-utility vehicle (SUV), 54, 61, 75, 126, 180
 staking machine, 32
 stove-top burner, 190
 trailer, 95
 trampoline, 34
 trash compactor, 50
 vaccine, pediatric, 141, 142, 142, 142, 142, 142, 142, 142, 142, 142
 woodchipper, 135

warnings

aboveground swimming pool, 137
 aboveground swimming pool liner, 137
 all-terrain vehicle, 138
 asbestos, 52, 193
 asbestos-containing pipes, 109, 109
 asbestos-containing products, 8, 92, 193
 benzene, 136
 bone cement, 155
 brake-shift interlock device, 94
 candy, 29
 carpet adhesive, 191
 chocolate, 119
 cigarettes, 198
 cigarette lighter, 48, 48
 cotton garnetting machine, 69
 dental amalgams containing mercury, 142
 drugs, 27, 28, 48, 88, 97, 131, 132
 dust masks, 93
 gas-fired water heater, 90
 glucose monitoring kit, 156
 intravenous tube and catheter, 111
 latex gloves, 10, 111, 111
 metal sorting machine, 33
 motor home, 34
 motor home refrigeration unit, 11
 multi-piece tire rim assembly, 115
 occupant protection system, 54
 paperboard drum, 49
 personal watercraft, 73
 pesticide, 6
 petroleum fuel, 136
 pharmacy's duty, 131
 portable conveyor system, 92
 propane gas, 6
 raw oysters, 29
 rear-brake flasher, 94
 rope, 73
 router, 192
 seat belt, 157
 sliding entry door, 133
 sodium chloride, 4
 tobacco, 78
 trampoline, 34
 vaccine, pediatric, 141, 142, 142, 142, 142,

142, 142, 142, 142
 woodchipper, 135

warranty, breach of

express, 61, 77, 88, 115, 132, 172
 generally, 14, 89, 110, 192
 implied, 7, 33, 55, 61
 fitness, 111
 merchantability, 28

III. Defenses

alternative design not in use on other products

bottle manufacturing machine, 8
 washing machine, 68

“as is” sale

staking machine, 32

assumption of the risk

rope, 73

causation

failure to establish, 52, 53, 135
 injury unavoidable, 35, 139
 jury instructions on, 135
 third-party, 8, 13, 32, 32, 33, 34, 49, 75, 90, 115, 134
 superseding, 135

comparative fault/contributory negligence

aboveground swimming pool, 137
 asbestos,
 tobacco use, 52, 70
 backhoe loader, 71
 candy, 29
 catwalk, 9
 cotton garnetting machine, 69
 crashworthiness doctrine, 75
 drug, 48
 dyeing machine, 136
 fire starter paste, 7
 fuel tank, 11
 latex gloves, 111
 multi-passenger van, 139
 multi-piece tire rim assembly, 115
 needle-bearing medical devices, 52
 propane gas, 6
 rope, 73
 trampoline, 34

compliance

federal standards, 54

duty

to childproof cigarette lighter,
 manufacturer claims no duty, 47
 to comply with Uniform Commercial Code, tour operator that served meals
 claims no duty, 133
 to monitor retail activities, wholesaler
 claims no duty, 6
 to warn,
 allergic reactions,
 drug manufacturer claims no duty, 28
 pharmacy claims no duty, 131
 particular dangers, 178
 repair company claims no duty, 133
 ultimate user, 136

enjoining related litigation

hip prostheses, 14
 knee prostheses, 14

evidence

expert testimony,
 abuse of discretion in admitting, 70
 beyond the scope of expert report, 21
 failure to produce, 116
 insufficient to establish prima facie case,
 31, 114

unreliable,
 based on circumstantial evidence, 134
 based on differential diagnosis, 28
 basis in epidemiological study
 required, 28
 expert qualifications insufficient, 70
 novel theory, 33
 subjective basis, 96
 failure to establish prima facie case, 114, 116
 failure to establish safer alternative, 73, 114
 foreseeability, establishing, 55
 irrelevance of admitting videotape, 4
 unfair prejudice of admitting videotape, 4

exculpatory clause

limits damages in strict liability claim, 108

heeding presumption

raw oysters, 29
 tobacco, 78

immunity

government contractor defense, 101
 statutory, 101, 107, 177, 199

impact rule

bars emotional distress damages, 98

industry custom, compliance with

anhydrous ammonia tank, 134

intended user doctrine

child not intended user of cigarette lighter, 47

joinder

fraudulent, 152, 152

jurisdiction

personal, 81
 removal, 115
 subject matter,
 third-party recoupment claims, 183

juror strikes

for cause, 77

learned intermediary doctrine

intravenous tube and catheter, 111
 sodium chloride, 4

limitations, statute of

discovery rule, 22, 87, 112, 153
 equitable tolling, 7, 153

misuse

duty to warn against, 82
 firearms, 37

negative publicity,

jurors unduly influenced by, 209

open and obvious danger

cigarette lighter presents, 47, 48
 no duty to warn, 47, 82
 not evidence that product defect does not exist, 192, 192
 paperboard drum flammability, 49

postsale modification

bottle manufacturing machine, 8
 staking machine, 32

preemption, federal

based on failure-to-warn claim, 133, 152
 boat, 93
 cigarette lighter, 61
 drug, 108
 herbicide, 132
 liquid sterilants, 10
 occupant protection system, 61, 126, 203
 pesticide, 6, 69, 88, 108, 209
 surgical gel, 195

public nuisance

lack of control over, 37

remoteness doctrine

municipal firearms suit, 57

repose, statute of
bars claim, 69
begins to accrue at first sale, 140
constitutionality of, 51
General Aviation Revitalization Act, 140
improvement to real property, applies to,
110
products liability statute,
applicability to failure-to-warn claims,
73, 75
applicability to willful and wanton
conduct, 75
realty statute, applicable to improvement to
property, 110

res judicata
Agent Orange, 70

retroactive application of statute
impermissible, 52

sophisticated user
absolves duty to warn, 136

spoliation
dismissal not appropriate, 67, 96
dismissal not unduly harsh, 61
duty to preserve evidence, 61
prejudice to nonpreserving party, 61

standing
derivative claims, 37
statutory bar, 37

state-of-the-art defense
anhydrous ammonia tank, 134

statutory construction
bar on cause of action, 37, 57, 107
regulations, more specific rules take

precedence over less specific ones, 10
retroactive application,
constitutionality, 52

warnings
claim preempted, 133
deposition evidence regarding warning
provided raised as basis for summary
judgment, 29
duty not discharged by plaintiff's
knowledge of general risk, 178
no duty to provide, 28, 131, 133, 136

warranty
no longer applicable, 90

IV. Damages

civil penalties
exercise equipment, 16

class actions, 14, 14, 14, 15, 15, 38, 38, 77,
77, 77, 97, 126, 141, 145, 158
improperly certified, 119
predominance, 52
res judicata, 70

consumer education programs
tires, 15

contractual limits
exculpatory clause, 108

contribution
apparent manufacturer's liability rule, 134

indemnity
apparent manufacturer's liability rule, 134

injunctive relief
dietary supplements, consent decree, 142
vaccines, pediatric, 141

market share allocation, 57

medical monitoring, 14, 77, 97, 141

noneconomic, 52
emotional distress, 89
bystander injury, 50
fear of contracting disease, 89
loss of consortium,
available where injuries occur before
marriage but do not manifest
themselves until after marriage, 112
unavailable where marriage was dissolved
before injury occurred, 74

punitive, 8, 10, 41, 61, 101, 109, 109, 117,
132, 133, 146, 160, 197, 198
constitutionality of assessing, 52

recall
airguns, 16
drugs, 97
exercise equipment, 16
tires, 38

restitution
tires, 15

sanctions
discovery abuses, 72
motion practice, 116

third-party claims
attorneys general consumer claims, 15
consumers seeking master settlement
agreement funds, 78, 78, 78, 78
firearms, 37, 37, 37, 56, 141
tobacco, 22, 56, 57, 102

Table of Cases

A

- A.P. Green Indus., Inc.: Schingle v., Cal., San Francisco County Super. Ct.: 154
- Abbott Labs.: Cardwell v., No. 02 C 2183 (N.D. Ill. filed Mar. 2002): 97
- Abbott Labs.: Goodman v., Ill., Madison County Cir. Ct.: 142
- Abbott Labs.: Hornstein v., Ill., Madison County Cir. Ct.: 142
- Abbott Labs.: Livi v., Ill., Madison County Cir. Ct.: 142
- Abbott Labs., Inc.: Wright v., 259 F.3d 1226 (10th Cir. 2001): 4
- AC&S: Crawford v., Ill., Madison County Cir. Ct.: 109
- AC&S: Johnson v., Miss., Holmes County Cir. Ct.: 92
- AC&S, Inc.: Stegemoller v., 767 N.E.2d 974 (Ind. 2002): 194
- Acevedo v. SCAG Power Equip., Inc., N.J., Passaic County Super. Ct.: 172
- Adkins v. Mobil Oil Corp., W. Va., Kanawha County Cir. Ct.: 205
- ADT Sec. Sys., Inc.: Chicago Steel Rule & Die Fabricators Co. v., 763 N.E.2d 839 (Ill. App. Ct. 2002): 108
- Alami v. Volkswagen of Am., Inc., 766 N.E.2d 574 (N.Y. 2002): 75
- All-Makes Overhead Doors: Seo v., 119 Cal. Rptr. 2d 160 (Ct. App. 2002): 133
- Alling v. Johnson Controls, Inc., U.S. Dist. Ct., E.D. Pa.: 92
- Allis-Chalmers Corp. Prod. Liab. Trust (2002): Fisher v., 116 Cal. Rptr. 2d 310 (Ct. App. 2002): 197
- Alman v. Glaxosmithkline Corp., No. Civ.A. 02-006, 2002 WL 465202 (E.D. La. Mar. 25, 2002): 152
- Almond: Greenless v., 277 F.3d 601 (1st Cir. 2002): 78, 162
- Amell v. Ford Motor Co., Ariz., Maricopa County Super. Ct.: 203
- American Dental Ass'n: Galeano v., Cal., Los Angeles County Super. Ct.: 142
- American Envtl. Safety Inst. v. Mars Inc., Cal., Los Angeles County Super. Ct.: 119
- American Home Prods.: Edoov v., Fla., Broward County Cir. Ct.: 142
- American Home Prods.: Geissinger v., Fla., Palm Beach County Cir. Ct.: 142
- American Home Prods.: Radulovic v., Fla., Hillsborough County Cir. Ct.: 142
- American Home Prods.: Stewart v., Fla., Dade County Cir. Ct.: 142
- American Home Prods.: Way v., Ga., Fulton County State Ct.: 142
- American Home Prods. Corp.: Lopez v., Tex., Jim Wells County 79th Jud. Dist. Ct.: 152
- American Home Prods. Corp.: Warman v., U.S. Dist. Ct., W.D. Mo.: 153
- American Honda Motor Co.: Rosenberg v., Mo., St. Louis City Cir. Ct.: 180
- American Tobacco Co.: Scott v., 814 So. 2d 544 (La. 2002): 161
- American Tobacco Co.: Scott v., 795 So. 2d 1176 (La. 2001): 77
- American Truss Sys., Inc.: Cole v., Tex., Montgomery County 9th Jud. Dist. Ct.: 91
- Anderson: Schindler Elevator Corp. v., 78 S.W.3d 392 (Tex. App. 2001): 4
- Anderson v. Avondale Indus., Inc., 798 So. 2d 93 (La. 2001): 52
- Anderson v. Siemens Med. Sys., Inc., U.S. Dist. Ct., N.D. Tex.: 53
- Andrews v. Dufour, La., New Orleans Dist. Parish Ct.: 181
- Arcadia Mach. & Tool: James v., No. ESX-L-6059-99 (N.J., Essex County Super. Ct. Dec. 10, 2001) (unpublished): 56
- Arnold v. Dow Chem. Co., 110 Cal. Rptr. 2d 722 (Ct. App. 2001): 69
- ATG Group Inc.: Twelker v., Cal., Santa Clara County Super. Ct.: 91
- Atkins: Strawser v., 290 F.3d 720 (4th Cir. 2002): 162
- Atlantic Richfield Co.: Laico v., No. H021130, 2001 WL 1571634 (Cal. Ct. App. Dec. 10, 2001): 136
- Atlantic Richfield Co.: South Tahoe Pub. Util. Dist. v., Cal., San Francisco County Super. Ct.: 32
- Aventis Pasteur: Urwick v., N.C., Union County Super. Ct.: 142
- Avondale Indus., Inc.: Anderson v., 798 So. 2d 93 (La. 2001): 52
- Dist. Ct.: 36
- Bagby Elevator Co.: Dillin v., Fla., Escambia County Cir. Ct.: 49
- Balderston v. Medtronic Sofamor Danek, Inc., 285 F.3d 238 (3d Cir. 2002): 155
- Barrett v. McCulloch Corp., N.J., Essex County Cir. Ct.: 9
- Barton v. Summers, 293 F.3d 944 (6th Cir. 2002): 162
- Baxter Healthcare Corp.: Falcone v., Pa., Phila. County C.C.P.: 111
- Baxter Healthcare Corp.: Gonoude v., Pa., Phila. County C.C.P.: 111
- Baxter Healthcare Corp.: Goolsby v., Tex., Jefferson County 136th Jud. Dist. Ct.: 10
- Baxter Healthcare Corp.: Hansen v., 764 N.E.2d 35 (Ill. 2002): 111, 145
- Baxter Healthcare Corp.: McCorvey v., 298 F.3d 1253 (11th Cir. 2002): 196
- Baxter Int'l, Inc.: Loverling v., Ill., Cook County Cir. Ct.: 14
- Bayer Corp.: Coleman v., No. Civ.A. 02-333, 2002 WL 535465 (E.D. La. Apr. 3, 2002): 152
- Bayer Corp.: Smith v., No. B145059, 2001 WL 1660064 (Cal. Ct. App. Dec. 28, 2001): 112
- Beales: Star Scientific, Inc. v., 278 F.3d 339 (4th Cir. 2002): 78
- Beanland v. Ford Motor Co., Mo., Laclede County Cir. Ct.: 179
- Becton Dickinson & Co. v. Usrey, 57 S.W.3d 488 (Tex. App. 2001): 52
- Bell Helicopter Textron, Inc.: Estate of Kennedy v., 283 F.3d 1107 (9th Cir. 2002): 140
- Benson Ingram Park Mazda: Bachus v., Tex., Bexar County 45th Jud. Dist. Ct.: 36
- Beretta U.S.A. Corp.: Camden County Bd. of Chosen Freeholders v., 273 F.3d 536 (3d Cir. 2001): 37
- Beretta U.S.A. Corp.: City of Cincinnati v., 768 N.E.2d 1136 (Ohio 2002): 141
- Beretta U.S.A. Corp.: City of Philadelphia v., 277 F.3d 415 (3d Cir. 2002): 57
- Beretta U.S.A. Corp.: Hamilton v., 264 F.3d 21 (2d Cir. 2001): 57
- Bettinsoli v. John Deere & Co., N.J., Mercer County Super. Ct.: 71
- BIC USA, Inc.: Colon v., 199 F. Supp. 2d 53 (S.D.N.Y. 2001): 61
- Bishop v. Hoffmann-La Roche Inc., Fla., Hillsborough County Cir. Ct.: 141
- Bitting v. Kearney Nat'l, Inc., Pa., Phila. County C.C.P.: 174
- Black v. M & W Gear Co., 269 F.3d 1220 (10th Cir. 2001): 41
- Bland v. IMCO Recycling, Inc., 67 S.W.3d 673 (Mo. Ct. App. 2002): 81
- Blood Bank of Del., Inc.: Price v., 790 A.2d 1203 (Del. 2002): 137
- Board of Dir. of Bay Point Condo. Ass'n, Inc. v. RML Corp., Va., Norfolk City Cir. Ct.: 172
- Body Masters Sports Indus., Inc.: Vautour v., 784 A.2d 1178 (N.H. 2001): 73
- Boerner v. Brown & Williamson Tobacco Corp., 260 F.3d 837 (8th Cir. 2001): 78
- Bonicelli v. Puget Consumers Co-op, Wash., King County Super. Ct.: 7
- Boryszewski v. Burke, N.J., Hudson County Super. Ct.: 114
- Bourk v. United Suppliers, Inc., U.S. Dist. Ct., W.D. Okla.: 5
- Bowersfield v. Suzuki Motor Corp., 151 F. Supp. 2d 625 (E.D. Pa. 2001): 21
- Bradco Supply Corp.: Fadeley v., Pa., Phila. County C.C.P.: 49
- Brasher v. Sandoz Pharms. Corp., 160 F. Supp. 2d 1291 (N.D. Ala. 2001): 28
- Bray v. Marathon Corp., 553 S.E.2d 477 (S.C. Ct. App. 2001): 50
- Brennan v. Navistar Int'l Corp., N.J., Middlesex County Super. Ct.: 181
- Brett v. Hillerich & Bradsby Co., U.S. Dist. Ct., W.D. Okla.: 93
- Bridgestone/Firestone, Inc.: Burt v., Mich., Livingston County Cir. Ct.: 200
- Bridgestone/Firestone, Inc.: State v., Tenn., Davidson County Cir. Ct.: 15
- Bridgestone/Firestone Inc.: Touchton v., Fla., Duval County Cir. Ct.: 180
- Brooks v. Howmedica, Inc., 273 F.3d 785 (8th Cir. 2001), cert. denied, 122 S. Ct. 1914 (2002): 155
- Brouillet: McLaughlin v., 735 N.Y.S.2d 154 (App. Div. 2001): 96

B

- Babcock v. General Motors Corp., 299 F.3d 60 (1st Cir. 2002): 201
- Bachus v. Benson Ingram Park Mazda, Tex., Bexar County 45th Jud.

Brown v. DaimlerChrysler Corp., Cal., Sacramento County Super. Ct.: 74
 Brown & Williamson Tobacco Corp.: Boerner v., 260 F.3d 837 (8th Cir. 2001): 78
 Brown & Williamson Tobacco Corp.: Mitchell v., 294 F.3d 1309 (11th Cir. 2002): 182
 Bryco Arms: Smith v., 33 P.3d 638 (N.M. Ct. App. 2001), cert. denied, 34 P.3d 610 (N.M. 2001): 37
 Bryco Arms: Young v., 765 N.E.2d 1 (Ill. Ct. App. 2001): 37
 Bullock v. Philip Morris Inc., Cal., Los Angeles County Super. Ct.: 177
 Bunch v. Hoffinger Indus., Cal., Glenn County Super. Ct.: 137
 Burke: Boryszewski v., N.J., Hudson County Super. Ct.: 114
 Burt v. Bridgestone/Firestone, Inc., Mich., Livingston County Cir. Ct.: 200
 Burton v. R.J. Reynolds Tobacco Co., 183 F. Supp. 2d 1308 (D. Kan. 2002): 161
 Burton v. R.J. Reynolds Tobacco Co., U.S. Dist. Ct., D. Kan.: 198
 Bush Bros.: Falde v., No. C2-01-435, 2001 WL 1117801 (Minn. Ct. App. Sept. 25, 2001): 67

C

Caboni v. General Motors Corp., 278 F.3d 448 (5th Cir. 2002): 115
 Cacevic v. Simplimatic Eng'g Co., 645 N.W.2d 287 (Mich. Ct. App. 2001): 82
 Camden County Bd. of Chosen Freeholders v. Beretta, U.S.A. Corp., 273 F.3d 536 (3d Cir. 2001): 37
 Caraker v. Sandoz Pharms. Corp., 172 F. Supp. 2d 1046 (S.D. Ill. 2001): 28
 Cardwell v. Abbott Labs., No. 02 C 2183 (N.D. Ill. filed Mar. 2002): 97
 Carillo v. Ford Motor Co., 759 N.E.2d 99 (Ill. App. Ct. 2001): 61
 Carlon Elec. Prods.: Mattis v., 295 F.3d 856 (8th Cir. 2002): 209
 Carrillo v. Ford Motor Co., 770 N.E.2d 217 (Ill. 2002): 126
 Carter v. Philip Morris Corp., 106 F. Supp. 2d 768 (E.D. Pa. 2000): 157
 Carter v. Philip Morris Corp., No. 4567 (Pa., Phila. County C.C.P. May 9, 2002) (unpublished): 156
 Cartwright v. Premier Park Inc., Tex., Tarrant County 236th Jud. Dist. Ct.: 176
 Casadei Gianfranco: D'Luzen v., Pa., Berks County C.C.P.: 110
 Cassel v. Ford Motor Co., U.S. Dist. Ct., S.D. Ohio: 54
 Cassens Transp., Inc.: Linley v., Ill., Madison County Cir. Ct.: 95
 Cassoutt v. Cessna Aircraft Co., Fla., Escambia County Cir. Ct.: 117
 Castle Rock Healthcare Servs., Inc.: Doody v., Cal., San Diego County Super. Ct.: 174
 Celebrity Cruises, Inc.: Silivanch v., 171 F. Supp. 2d 241 (S.D.N.Y. 2001): 33
 Centex Homes: Lantzy v., 107 Cal. Rptr. 2d 795 (Ct. App. 2001): 7
 Cessna Aircraft Co.: Cassoutt v., Fla., Escambia County Cir. Ct.: 117
 Chevere v. Hyundai Motor Co., N.Y., Bronx County Sup. Ct.: 36
 Chicago Steel Rule & Die Fabricators Co. v. ADT Sec. Sys., Inc., 763 N.E.2d 839 (Ill. App. Ct. 2002): 108
 Chrysler Corp.: McBride v., No. 223891, 2002 WL 99704 (Mich. Ct. App. Jan. 22, 2002): 116
 City of Boston v. Smith & Wesson Corp., Mass., Suffolk County Super. Ct.: 161
 City of Cincinnati v. Beretta U.S.A. Corp., 768 N.E.2d 1136 (Ohio 2002): 141
 City of Gary v. Smith & Wesson Corp., 776 N.E.2d 368 (Ind. Ct. App. 2002): 205
 City of Jersey City v. Smith & Wesson Corp., N.J., Essex County Super. Ct.: 161
 City of Milwaukee v. NL Indus., Inc., No. 01-CV-003066 (Wis., Milwaukee County Cir. Ct. Oct. 15, 2001) (unpublished): 61
 City of Minneapolis: Lanz v., Minn., Hennepin County Dist. Ct.: 94
 City of Philadelphia v. Beretta U.S.A. Corp., 277 F.3d 415 (3d Cir. 2002): 57
 Clapper v. Wendt Corp., N.Y., Tioga County Sup. Ct.: 33
 Clean Tec Waste Servs.: Sedeno v., Fla., Dade County Cir. Ct.: 194
 Coca-Cola Bottling Co.: Hagan v., 804 So. 2d 1234 (Fla. 2001): 89
 Coca-Cola Bottling Co.: Hagan v., 813 So. 2d 167 (Fla. Dist. Ct. App. 2002): 89
 Cole v. American Truss Sys., Inc., Tex., Montgomery County 9th Jud.

Dist. Ct.: 91
 Coleman v. Bayer Corp., No. Civ.A. 02-333, 2002 WL 535465 (E.D. La. Apr. 3, 2002): 152
 Colon v. BIC USA, Inc., 199 F. Supp. 2d 53 (S.D.N.Y. 2001): 61
 Consep, Inc.: Sun Valley Packing v., 114 Cal. Rptr. 2d 237 (Ct. App. 2001): 88
 Continental Conveyor & Equip. Co.: Fuentes v., 63 S.W.3d 518 (Tex. App. 2001): 110
 Continental Gen. Tire, Inc.: Lampe v., Cal., Los Angeles County Super. Ct.: 21
 Control Techniques, Inc. v. Johnson, 762 N.E.2d 104 (Ind. 2002): 135
 Cooper Tire & Rubber Co.: Mendez v., Tex., El Paso County Law Ct.: 12
 Cooper Tire & Rubber Co.: Talalai v., No. MID-L-8839-00 MT (N.J., Middlesex County Super. Ct. Oct. 30, 2001) (unpublished): 38
 Cooper Tire & Rubber Co.: Talalai v., N.J., Middlesex Sup. Ct.: 206
 Cooper Tire & Rubber Co. v. Tuckier, 826 So. 2d 679 (Miss. 2002): 62, 166
 Cosco, Inc.: Fee v., La., Rapides Parish Dist. Ct.: 35, 61
 Cottrell, Inc.: Long v., 265 F.3d 663 (8th Cir. 2001), cert. denied, 122 S. Ct. 1304 (2002): 113
 Cramer v. Mirro Co., U.S. Dist. Ct., E.D. Cal.: 30
 Crawford v. AC&S, Ill., Madison County Cir. Ct.: 109
 Crown Derrick Erectors, Inc.: Dew v., Tex., Jefferson County 58th Jud. Dist. Ct.: 9
 Crown Equip. Corp.: Walden v., U.S. Dist. Ct., E.D. Tex.: 154
 Crown Equip. Corp.: Wankier v., U.S. Dist. Ct., D. Utah: 194
 CSX Transp., Inc. v. Matweld, Inc., ___ So. 2d ___, Nos. 1001700, 1001701, 2002 WL 319751 (Ala. Mar. 1, 2002): 134
 Cunningham v. Warner-Lambert, Miss., Hinds County Cir. Ct.: 88

D

D'Amario v. Ford Motor Co., 806 So. 2d 424 (Fla. 2001): 75
 D'Luzen v. Casadei Gianfranco, Pa., Berks County C.C.P.: 110
 DaimlerChrysler, A.G.: Kaplan v., U.S. Dist. Ct., M.D. Fla.: 116
 DaimlerChrysler Corp.: Brown v., Cal., Sacramento County Super. Ct.: 74
 DaimlerChrysler Corp.: Hillhouse v., Tex., Bexar County 224th Jud. Dist. Ct.: 201
 DaimlerChrysler Corp.: Jimenez v., 269 F.3d 439 (4th Cir. 2001): 61
 DaimlerChrysler Corp.: Ruder v., U.S. Dist. Ct., E.D. Wash.: 139
 DaimlerChrysler Corp.: Saunders v., Ala., Etowah County Cir. Ct.: 140
 Daley v. McNeil Consumer Prods. Co., 164 F. Supp. 2d 367 (S.D.N.Y. 2001): 28
 Dead Sea Bromine Co. v. Patrickson, 122 S. Ct. 2658 (2002): 166
 Deere & Co.: Tunnell v., Ala., Greene County Cir. Ct.: 109
 Degel v. Doctors Assocs., Inc., Wash., King County Super. Ct.: 30
 Densberger v. United Techs. Corp., 283 F.3d 110 (2d Cir. 2002): 101
 Dew v. Crown Derrick Erectors, Inc., Tex., Jefferson County 58th Jud. Dist. Ct.: 9
 DeWitt v. Eveready Battery Co., 565 S.E.2d 140 (N.C. 2002): 192
 Diehl v. Polo Coop. Ass'n, 766 N.E.2d 317 (Ill. App. Ct. 2002): 132
 Dillin v. Bagby Elevator Co., Fla., Escambia County Cir. Ct.: 49
 Doctors Assocs., Inc.: Degel v., Wash., King County Super. Ct.: 30
 Doe v. Roe, Cal., Los Angeles County Super. Ct.: 11
 Doe v. Roe Bldg. Supply Co., Md., Montgomery County Cir. Ct.: 73
 Doe v. Roe Mfg. Co., Cal., confidential court: 135
 Doe v. State, Cal., Los Angeles County Super. Ct.: 160
 Doerner v. Swisher Int'l, Inc., 272 F.3d 928 (7th Cir. 2001): 74
 Donelson v. Maul Tech. Corp., U.S. Dist. Ct., D.N.J.: 8
 Doody v. Castle Rock Healthcare Servs., Inc., Cal., San Diego County Super. Ct.: 174
 Douglas: Tyler v., 280 F.3d 116 (2d Cir. 2001), petition for cert. denied, 122 S. Ct. 2361 (2002): 162
 Dow Agrosciences LLC: Neal v., 74 S.W.3d 468 (Tex. App. 2002): 134
 Dow Agrosciences LLC v. Sleath, 122 S. Ct. 40 (2001): 62
 Dow Chem. Co.: Arnold v., 110 Cal. Rptr. 2d 722 (Ct. App. 2001): 69
 Dow Chem. Co.: Stephenson v., 273 F.3d 249 (2d Cir. 2001): 70
 Dow Chem. Co. v. Ebling, 753 N.E.2d 633 (Ind. 2001): 6, 41
 DowElanco: Nathan Kimmel, Inc. v., 275 F.3d 1199 (9th Cir. 2002): 108
 Dufour: Andrews v., La., New Orleans Dist. Parish Ct.: 181

E

E.I. du Pont de Nemours & Co.: Ison v., Nos. Civ.A.97C-06-193CHT, 97C-06-194CHT, and 97C-07-113CHT (Del. Super. Ct. Apr. 29, 2002): 209
E.I. duPont de Nemours & Co.: Productora de Semillas v., Fla., Miami-Dade County 11th Jud. Cir. Ct.: 5
Ebling: Dow Chem. Co. v., 753 N.E.2d 633 (Ind. 2001): 6, 41
Eccles v. EMI Corp., N.Y., Chautauqua County Sup. Ct.: 92
Edoo v. American Home Prods., Fla., Broward County Cir. Ct.: 142
Edwards v. Goodyear Tire & Rubber Co., Ill., Cook County Cir. Ct.: 115
Emery v. Lake Trucking & Constr. Co., Tex., Navarro County 13th Jud. Dist. Ct.: 157
EMI Corp.: Eccles v., N.Y., Chautauqua County Sup. Ct.: 92
Enrile v. New Choice Food, Cal., Santa Clara County Super. Ct.: 29
Eslinger v. Kmart Corp., U.S. Dist. Ct., D. Utah: 133
Estate of Frank v. Goodyear Tire & Rubber Co., N.J., Mercer County Super. Ct.: 42
Estate of Kennedy v. Bell Helicopter Textron, Inc., 283 F.3d 1107 (9th Cir. 2002): 140
Estate of Schwarz v. Philip Morris Inc., Or., Multnomah County Cir. Ct.: 197
Evans v. Ford Motor Co., U.S. Dist. Ct., N.D. Ill.: 117
Eve v. Sandoz Pharm. Corp., No. IP 98-1429-C-Y/S, 2002 WL 181972 (S.D. Ind. Jan. 28, 2002): 108
Evenflo Co.: Steele v., Mo., St. Louis City Cir. Ct.: 202
Eveready Battery Co.: DeWitt v., 565 S.E.2d 140 (N.C. 2002): 192
Exxon Corp.: Grahn v., Cal., San Francisco County Super. Ct.: 52

F

Fadeley v. Bradco Supply Corp., Pa., Phila. County C.C.P.: 49
Falada v. Trinity Indus., Inc., 642 N.W.2d 247 (Iowa 2002): 134
Falcone v. Baxter Healthcare Corp., Pa., Phila. County C.C.P.: 111
Falde v. Bush Bros., No. C2-01-435, 2001 WL 1117801 (Minn. Ct. App. Sept. 25, 2001): 67
Fee v. Cosco, Inc., La., Rapides Parish Dist. Ct.: 35, 61
Fisher v. Allis-Chalmers Corp. Prod. Liab. Trust (2002), 116 Cal. Rptr. 2d 310 (Ct. App. 2002): 197
Fleck v. Titan Tire Corp., 177 F. Supp. 2d 605 (E.D. Mich. 2001): 55
Flores v. U.S. Repeating Arms Co., Nos. 00-6324, 01-6076, 2001 WL 1135301 (10th Cir. Sept. 26, 2001): 37
Ford v. GACS, Inc., 265 F.3d 670 (8th Cir. 2001), cert. denied, 122 S. Ct. 1358 (2002): 113
Ford Motor Co.: Amell v., Ariz., Maricopa County Super. Ct.: 203
Ford Motor Co.: Beanland v., Mo., LaCade County Cir. Ct.: 179
Ford Motor Co.: Carillo v., 759 N.E.2d 99 (Ill. App. Ct. 2001): 61
Ford Motor Co.: Carrillo v., 770 N.E.2d 217 (Ill. 2002): 126
Ford Motor Co.: Cassel v., U.S. Dist. Ct., S.D. Ohio: 54
Ford Motor Co.: D'Amario v., 806 So. 2d 424 (Fla. 2001): 75
Ford Motor Co.: Evans v., U.S. Dist. Ct., N.D. Ill.: 117
Ford Motor Co.: Gozukara v., Cal., San Bernardino County Super. Ct.: 159
Ford Motor Co.: Green v., No. CIV. 3:00CV00049, 2001 WL 1593232 (W.D. Va. Dec. 10, 2001): 94
Ford Motor Co.: Hall v., Ga., Fulton County State Ct.: 75
Ford Motor Co.: Hernandez v., N.J., Middlesex County Super. Ct.: 118
Ford Motor Co.: Jarvis v., 283 F.3d 33 (2d Cir. 2002): 82
Ford Motor Co.: Jimenez v., Fla., Dade County Cir. Ct.: 139
Ford Motor Co.: Kodesch v., Tex., Brazoria County 239th Jud. Dist. Ct.: 95
Ford Motor Co.: Lilly v., No. 00 C 7372, 2002 WL 507126 (N.D. Ill. Apr. 3, 2002): 158
Ford Motor Co.: Mason v., 307 F.3d 1271 (11th Cir. 2002): 209
Ford Motor Co.: Nueces County, Tex. v., Tex., Nueces County Ct. Law: 182
Ford Motor Co.: Quesada v., Fla., Dade County Cir. Ct.: 204
Ford Motor Co.: Rainford v., Fla., Palm Beach County Dist. Ct.: 140
Ford Motor Co.: Ridgway v., 82 S.W.3d 26 (Tex. App. 2002): 114
Ford Motor Co.: Roberts v., Tex., Hidalgo County 92d Jud. Dist. Ct.: 200
Ford Motor Co.: Spurgeon v., Mo., Jackson County Cir. Ct.: 114

Ford Motor Co.: Tyson v., Fla., Duval County Cir. Ct.: 118
Ford Motor Co.: Valero v., No. 04-00-00737-CV, 2001 WL 1617181 (Tex. App. Dec. 19, 2001): 96
Foreline Sec. Corp.: Scott v., Fla., Lake County Cir. Ct.: 171
Frito-Lay, Inc.: Grady v., 789 A.2d 735 (Pa. Super. Ct. 2001): 89
Fuentes v. Continental Conveyor & Equip. Co., 63 S.W.3d 518 (Tex. App. 2001): 110

G

GACS, Inc.: Ford v., 265 F.3d 670 (8th Cir. 2001), cert. denied, 122 S. Ct. 1358 (2002): 113
Galada v. Pfizer, Pa., Phila. County C.C.P.: 193
Galeano v. American Dental Ass'n, Cal., Los Angeles County Super. Ct.: 142
Ganim v. Smith & Wesson Corp., 780 A.2d 98 (Conn. 2001): 37
Garlock, Inc.: Jurich v., 759 N.E.2d 1066 (Ind. Ct. App. 2001): 51
Gate Pharms.: Taylor v., 639 N.W.2d 45 (Mich. Ct. App. 2001): 107
GE/Ericsson, Inc.: Sidney v., La., Orleans Parish Civ. Dist. Ct.: 3
Geissinger v. American Home Prods., Fla., Palm Beach County Cir. Ct.: 142
General Motors: Vellines v., Va., Virginia Beach City Cir. Ct.: 11
General Motors Corp.: Babcock v., 299 F.3d 60 (1st Cir. 2002): 201
General Motors Corp.: Caboni v., 278 F.3d 448 (5th Cir. 2002): 115
General Motors Corp.: Grabarkewitz v., Tex., Travis County 345th Jud. Dist. Ct.: 36
General Motors Corp.: Griffith v., 303 F.3d 1276 (11th Cir. 2002): 203
General Motors Corp.: Gwyn v., Tex., Cameron County 107th Jud. Dist. Ct.: 12
General Motors Corp.: Harsh v., Pa., Lancaster County C.C.P.: 13
General Motors Corp.: Iracheta v., No. 04-01-00160-CV, 2002 WL 1071549 (Tex. App. May 31, 2002): 146
General Motors Corp.: Jackson v., 60 S.W.3d 800 (Tenn. 2001): 76
General Motors Corp.: Jernigan v., Ala., Bullock County Cir. Ct.: 160
General Motors Corp.: Jernigan v., Ala. Jud. Cir. Ct., 3d Cir., No. CV-2000-104, Sept. 4, 2002: 209
General Motors Corp.: Murphy v., Tex., Harris County 270th Jud. Dist. Ct.: 54
General Motors Corp.: Palka v., Ill., Cook County Cir. Ct.: 35
General Motors Corp.: Pinto v., Pa., Phila. County C.C.P.: 55
General Motors Corp.: Pressley v., Tex., Harris County 55th Jud. Dist. Ct.: 178
General Motors Corp.: Saburido-Garcia v., Tex., Travis County 53d Jud. Dist. Ct.: 76
General Motors Corp.: Schmitz v., Wis., Outagamie County Cir. Ct.: 179
General Motors Corp.: Silvestri v., 271 F.3d 583 (4th Cir. 2001): 61
Gentry v. Volkswagen of Am., Inc., 564 S.E.2d 733 (Ga. Ct. App. 2002): 126
Georgia Dept. of Cmty. Health: McClendon v., 261 F.3d 1252 (11th Cir. 2001): 78
Ginzel v. Kolcraft Enters., Inc., Ill., Cook County Cir. Ct.: 151
Glaxosmithkline Corp.: Alman v., No. Civ.A. 02-006, 2002 WL 465202 (E.D. La. Mar. 25, 2002): 152
Gliatech, Inc.: Woods v., 218 F. Supp. 2d 802 (W.D. Va. 2002): 195
Glock, Inc.: Iletto v., 194 F. Supp. 2d 1040 (C.D. Cal. 2002): 161
Gonoude v. Baxter Healthcare Corp., Pa., Phila. County C.C.P.: 111
Goodman v. Abbott Labs., Ill., Madison County Cir. Ct.: 142
Goodyear Tire & Rubber Co.: Edwards v., Ill., Cook County Cir. Ct.: 115
Goodyear Tire & Rubber Co.: Estate of Frank v., N.J., Mercer County Super. Ct.: 42
Goolsby v. Baxter Healthcare Corp., Tex., Jefferson County 136th Jud. Dist. Ct.: 10
Gozukara v. Ford Motor Co., Cal., San Bernardino County Super. Ct.: 159
Grabarkewitz v. General Motors Corp., Tex., Travis County 345th Jud. Dist. Ct.: 36
Grady v. Frito-Lay, Inc., 789 A.2d 735 (Pa. Super. Ct. 2001): 89
Grahn v. Exxon Corp., Cal., San Francisco County Super. Ct.: 52
Gray v. Hoffmann-La Roche Inc., U.S. Dist. Ct., E.D. Okla.: 141
Green v. Ford Motor Co., No. CIV. 3:00CV00049, 2001 WL 1593232 (W.D. Va. Dec. 10, 2001): 94

Greenless v. Almond, 277 F.3d 601 (1st Cir. 2002): 78, 162
Griffin Prods., Inc.: Symons v., U.S. Dist. Ct., M.D. Fla.: 113
Griffith v. General Motors Corp., 303 F.3d 1276 (11th Cir. 2002): 203
Grunow v. Valor Corp. of Fla., Fla., Palm Beach County Cir. Ct.: 205
Gwyn v. General Motors Corp., Tex., Cameron County 107th Jud. Dist. Ct.: 12

H

Hagan v. Coca-Cola Bottling Co., 804 So. 2d 1234 (Fla. 2001): 89
Hagan v. Coca-Cola Bottling Co., 813 So. 2d 167 (Fla. Dist. Ct. App. 2002): 89
Hall v. Ford Motor Co., Ga., Fulton County State Ct.: 75
Halliday v. Sturm, Ruger & Co., 792 A.2d 1145 (Md. 2002): 141
Hamilton v. Beretta U.S.A. Corp., 264 F.3d 21 (2d Cir. 2001): 57
Hannahs v. RV&MH Tire Serv. Ctr., S.D., Union County Cir. Ct.: 199
Hansen v. Baxter Healthcare Corp., 764 N.E.2d 35 (Ill. 2002): 111, 145
Happel v. Wal-Mart Stores, Inc., 766 N.E.2d 1118 (Ill. 2002): 131
Hardcastle v. J-M A/C Pipe Corp., Cal., Alameda County Super. Ct.: 109
Harris v. Owens, 122 S. Ct. 2294 (2002): 162
Harris v. Owens, 264 F.3d 1282 (10th Cir. 2001): 78
Harsh v. General Motors Corp., Pa., Lancaster County C.C.P.: 13
Hartford Cas. Ins. Co.: Madrigal v., Tex., Harris County 270th Jud. Dist. Ct.: 178
Helmtec, Inc.: Hemphill v., U.S. Dist. Ct., M.D. Fla.: 139
Hemphill v. Helmtec, Inc., U.S. Dist. Ct., M.D. Fla.: 139
Henley v. Philip Morris, Inc., 39 P.3d 512 (Cal. 2002): 101
Hernandez v. Ford Motor Co., N.J., Middlesex County Super. Ct.: 118
Hernandez v. Kelly-Moore Paint Co., Tex., El Paso County Law Ct. No. 3: 8
Hernandez-Gomez v. Volkswagen of Am., Inc., 32 P.3d 424 (Ariz. Ct. App. 2001): 61
Hess & Clark, Inc.: Netland v., 284 F.3d 895 (8th Cir. 2002): 133
Hill Bros. Chem. Co.: Peterson v., Cal., Alameda County Super. Ct.: 193
Hillerich & Bradsby Co.: Brett v., U.S. Dist. Ct., W.D. Okla.: 93
Hillhouse v. DaimlerChrysler Corp., Tex., Bexar County 224th Jud. Dist. Ct.: 201
Hittle v. Scripto-Tokai Corp., 166 F. Supp. 2d 142 (M.D. Pa. 2001): 47
Hoffinger Indus.: Bunch v., Cal., Glenn County Super. Ct.: 137
Hoffmann-La Roche Inc.: Bishop v., Fla., Hillsborough County Cir. Ct.: 141
Hoffmann-La Roche Inc.: Gray v., U.S. Dist. Ct., E.D. Okla.: 141
Hornstein v. Abbott Labs., Ill., Madison County Cir. Ct.: 142
Housley v. Wave Energy Sys., Inc., 779 A.2d 453 (N.J. Super. Ct. App. Div. 2001): 10
Howmedica, Inc.: Brooks v., 273 F.3d 785 (8th Cir. 2001), cert. denied, 122 S. Ct. 1914 (2002): 155
Hubbard v. P.D.Q. Cotton Factory, Inc., Tex., Tarrant County 48th Jud. Dist. Ct.: 69
Hyundai Motor Co.: Chevere v., N.Y., Bronx County Sup. Ct.: 36

I

Icon: Starnes v., U.S. Dist. Ct., D.S.C.: 34
Ileto v. Glock, Inc., 194 F. Supp. 2d 1040 (C.D. Cal. 2002): 161
IMCO Recycling, Inc.: Bland v., 67 S.W.3d 673 (Mo. Ct. App. 2002): 81
In re Bridgestone/Firestone, Inc., Tire Prods. Liab. Litig., 288 F.3d 1012 (7th Cir. 2002): 119
In re Daisy Mfg. Co., C.P.S.C.: 16, 145
In re Diet Drugs (Phentermine, Fenfluramine, Dexfenfluramine) Prods. Liab. Litig., 275 F.3d 34 (3d Cir. 2001): 38
In re Inter-Op Hip Prosthesis & Knee Prosthesis Liab. Litig., No. 1:01-CV-9000, MDL No. 1401 (N.D. Ohio Oct. 20, 2001) (unpublished): 15
In re Inter-Op Hip Prosthesis & Knee Prosthesis Liab. Litig., U.S. Dist. Ct., N.D. Ohio: 77, 126
In re Inter-Op Hip Prosthesis Liab. Litig., No. 1:01-CV-9000, MDL No. 1401 (N.D. Ohio Mar. 8, 2002) (unpublished): 77
In re Inter-Op Hip Prosthesis Prod. Liab. Litig., No. 1:01-CV-9000, MDL No. 1401 (N.D. Ohio Sept. 17, 2001) (unpublished): 15
In re Inter-Op Hip Prosthesis Prod. Liab. Litig., No. 1:01-CV-9000,

MDL No. 1401 (N.D. Ohio Sept. 26, 2001) (unpublished): 15
In re Inter-Op Hip Prosthesis Prod. Liab. Litig., No. 01-4309 (6th Cir. Oct. 29, 2001) (unpublished): 14
In re Latex Gloves Prods. Liab. Litig., 152 F. Supp. 2d 667 (E.D. Pa. 2001): 22
In re LifeScan Inc. Consumer Litig., U.S. Dist. Ct., N.D. Cal.: 156
In re Simon II Litig., No. 00-CV-5332 (E.D.N.Y. Sept. 19, 2002): 206
In re Tobacco Cases II, 113 Cal. Rptr. 2d 120 (Ct. App. 2001): 56, 102
Iracheta v. General Motors Corp., No. 04-01-00160-CV, 2002 WL 1071549 (Tex. App. May 31, 2002): 146
Ison v. E.I. du Pont de Nemours & Co., Nos. Civ.A.97C-06-193CHT, 97C-06-194CHT, and 97C-07-113CHT (Del. Super. Ct. Apr. 29, 2002): 209

J

J-M A/C Pipe Corp.: Hardcastle v., Cal., Alameda County Super. Ct.: 109
Jackson v. General Motors Corp., 60 S.W.3d 800 (Tenn. 2001): 76
Jackson Plaza Homeowners Ass'n v. West Wong Constr., 121 Cal. Rptr. 2d 221 (Ct. App. 2002): 153
James v. Arcadia Mach. & Tool, No. ESX-L-6059-99 (N.J., Essex County Super. Ct. Dec. 10, 2001) (unpublished): 56
Janssen Pharmaceutica: Rankin v., Miss., Claiborne County Cir. Ct.: 27, 82
Jaroslawicz v. Prestige Caterers, Inc., 739 N.Y.S.2d 670 (App. Div. 2002): 133
Jarrell v. Mountain State Outfitters, Inc., W. Va., Mingo County Cir. Ct.: 176
Jarrell v. Park Cities Carpet & Upholstery Cleaning, Inc., 53 S.W.3d 901 (Tex. App. 2001): 30
Jarvis v. Ford Motor Co., 283 F.3d 33 (2d Cir. 2002): 82
Jernigan v. General Motors Corp., Ala., Bullock County Cir. Ct.: 160
Jernigan v. General Motors Corp., Ala. Jud. Cir. Ct., 3d Cir., No. CV-2000-104, Sept. 4, 2002: 209
Jet Equip. & Tools, Inc.: Mosser v., Cal., Los Angeles County Super. Ct.: 110
Jimenez v. DaimlerChrysler Corp., 269 F.3d 439 (4th Cir. 2001): 61
Jimenez v. Ford Motor Co., Fla., Dade County Cir. Ct.: 139
Jodoin v. Toyota Motor Corp., 284 F.3d 272 (1st Cir. 2002): 158
John Deere & Co.: Bettinsoli v., N.J., Mercer County Super. Ct.: 71
Johnson: Control Techniques, Inc. v., 762 N.E.2d 104 (Ind. 2002): 135
Johnson v. AC&S, Miss., Holmes County Cir. Ct.: 92
Johnson v. Philip Morris, 159 F. Supp. 2d 950 (S.D. Tex. 2001): 77
Johnson v. Sandoz Pharms. Corp., 24 Fed. App. 533, 2001 WL 1671077 (6th Cir. 2001): 87
Johnson v. T.L. James & Co., 809 So. 2d 287 (La. Ct. App. 2001): 31
Johnson Controls, Inc.: Alling v., U.S. Dist. Ct., E.D. Pa.: 92
Jones v. NordicTrack, Inc., 550 S.E.2d 101 (Ga. 2001): 22
Jonietz v. Sears Roebuck & Co., U.S. Dist. Ct., W.D. Wash.: 192
Jurich v. Garlock, Inc., 759 N.E.2d 1066 (Ind. Ct. App. 2001): 51

K

Kaplan v. DaimlerChrysler, A.G., U.S. Dist. Ct., M.D. Fla.: 116
Kawasaki Motors Mfg. Corp., U.S.A.: Stotts v., Tex., Hunt County 345th Jud. Dist. Ct.: 138
Kearney Nat'l, Inc.: Bitting v., Pa., Phila. County C.C.P.: 174
Kelly-Moore Paint Co.: Hernandez v., Tex., El Paso County Law Ct. No. 3: 8
Kmart Corp.: Eslinger v., U.S. Dist. Ct., D. Utah: 133
Kodesch v. Ford Motor Co., Tex., Brazoria County 239th Jud. Dist. Ct.: 95
Kolcraft Enters., Inc.: Ginzel v., Ill., Cook County Cir. Ct.: 151
Krause Inc. v. Little, 34 P.3d 566 (Nev. 2001): 70
Kroger Co.: Robins v., 80 S.W.3d 641 (Tex. App. 2002): 192

L

Laico v. Atlantic Richfield Co., No. H021130, 2001 WL 1571634 (Cal. Ct. App. Dec. 10, 2001): 136
Lake Trucking & Constr. Co.: Emery v., Tex., Navarro County 13th Jud. Dist. Ct.: 157
Lampe v. Continental Gen. Tire, Inc., Cal., Los Angeles County Super.

Ct: 21
Land v. Yamaha Motor Corp., U.S.A., 272 F.3d 514 (7th Cir. 2001): 73
Lantzy v. Centex Homes, 107 Cal. Rptr. 2d 795 (Ct. App. 2001): 7
Lanz v. City of Minneapolis, Minn., Hennepin County Dist. Ct.: 94
LaPlante v. Wellcraft Marine Corp., 114 Cal. Rptr. 2d 196 (Ct. App. 2001): 93
Lauzon v. Senco Prods., Inc., 270 F.3d 681 (8th Cir. 2001): 50
Leader Indus.: Messier v., N.J., Essex County Super. Ct.: 175
Lilly v. Ford Motor Co., No. 00 C 7372, 2002 WL 507126 (N.D. Ill. Apr. 3, 2002): 158
Lincoln Manor Apartments: Stepanian v., Cal., Los Angeles County Super. Ct.: 90
Linley v. Cassens Transp., Inc., Ill., Madison County Cir. Ct.: 95
Little: Krause Inc. v., 34 P.3d 566 (Nev. 2001): 70
Livi v. Abbott Labs., Ill., Madison County Cir. Ct.: 142
Long v. Cottrell, Inc., 265 F.3d 663 (8th Cir. 2001), cert. denied, 122 S. Ct. 1304 (2002): 113
Lopez v. American Home Prods. Corp., Tex., Jim Wells County 79th Jud. Dist. Ct.: 152
Lopez v. Roe Dyeing Mach. Mfr. Co., Cal., confidential court: 136
Loverling v. Baxter Int'l, Inc., Ill., Cook County Cir. Ct.: 14
Lukacs v. Philip Morris Inc., Fla., Dade County Dist. Ct.: 198

M

M & W Gear Co.: Black v., 269 F.3d 1220 (10th Cir. 2001): 41
Madrigal v. Hartford Cas. Ins. Co., Tex., Harris County 270th Jud. Dist. Ct.: 178
Marathon Corp.: Bray v., 553 S.E.2d 477 (S.C. Ct. App. 2001): 50
Marconi: Uxa v., Mo., St. Louis City Cir. Ct.: 202
Mars Inc.: American Envtl. Safety Inst. v., Cal., Los Angeles County Super. Ct.: 119
Marvin Lumber & Cedar Co. v. PPG Indus., Inc., U.S. Dist. Ct., D. Minn.: 172
Mason v. Ford Motor Co., 307 F.3d 1271 (11th Cir. 2002): 209
Mattis v. Carlson Elec. Prods., 295 F.3d 856 (8th Cir. 2002): 209
Matweld, Inc.: CSX Transp., Inc. v., ___ So. 2d ___, Nos. 1001700, 1001701, 2002 WL 319751 (Ala. Mar. 1, 2002): 134
Maul Tech. Corp.: Donelson v., U.S. Dist. Ct., D.N.J.: 8
Mazda Motor Corp.: Merritt v., Ala., Pike County Cir. Ct.: 54
Mazda Motor Corp.: Nores v., Hawaii, 1st Jud. Cir. Ct.: 180
McBride v. Chrysler Corp., No. 223891, 2002 WL 99704 (Mich. Ct. App. Jan. 22, 2002): 116
McClendon v. Georgia Dep't of Cmty. Health, 261 F.3d 1252 (11th Cir. 2001): 78
McCorvey v. Baxter Healthcare Corp., 298 F.3d 1253 (11th Cir. 2002): 196
McCulloch Corp.: Barrett v., N.J., Essex County Cir. Ct.: 9
McLaughlin v. Brouillet, 735 N.Y.S.2d 154 (App. Div. 2001): 96
McNeil Consumer Prods. Co.: Daley v., 164 F. Supp. 2d 367 (S.D.N.Y. 2001): 28
Medical Eng'g: Meister v., 267 F.3d 1123 (D.C. Cir. 2001): 51
Medtronic Sofamor Danek, Inc.: Balderston v., 285 F.3d 238 (3d Cir. 2002): 155
Meister v. Medical Eng'g, 267 F.3d 1123 (D.C. Cir. 2001): 51
Mejia v. Tamiami Rentals & Constr. Servs., Inc., Fla., Dade County Cir. Ct.: 173
Mendez v. Cooper Tire & Rubber Co., Tex., El Paso County Law Ct.: 12
Mercury Marine: Sprietsma v., 122 S. Ct. 917 (2002): 62
Merritt v. Mazda Motor Corp., Ala., Pike County Cir. Ct.: 54
Messier v. Leader Indus., N.J., Essex County Super. Ct.: 175
Messina: State ex rel. Ford Motor Co. v., 71 S.W.3d 602 (Mo. 2002): 159
Mirro Co.: Cramer v., U.S. Dist. Ct., E.D. Cal.: 30
Mississippi Valley Gas Co.: Pruitt v., Miss., Noxubee County Cir. Ct.: 90
Mitchell v. Brown & Williamson Tobacco Corp., 294 F.3d 1309 (11th Cir. 2002): 182
Mitsubishi Motors Corp.: Saucedo v., Tex., Harris County Probate Ct. No. 1: 157
Mobil Oil Corp.: Adkins v., W. Va., Kanawha County Cir. Ct.: 205
Morial v. Smith & Wesson Corp., 122 S. Ct. 346 (2001): 37

Mosser v. Jet Equip. & Tools, Inc., Cal., Los Angeles County Super. Ct.: 110
Mountain State Outfitters, Inc.: Jarrell v., W. Va., Mingo County Cir. Ct.: 176
Murphy v. General Motors Corp., Tex., Harris County 270th Jud. Dist. Ct.: 54
Myers v. Philip Morris Cos., 123 Cal. Rptr. 2d 40 (2002): 177

N

Naegele v. R.J. Reynolds Tobacco Co., 123 Cal. Rptr. 2d. 61 (2002): 199
Nathan Kimmel, Inc. v. DowElanco, 275 F.3d 1199 (9th Cir. 2002): 108
Navistar Int'l Corp.: Brennan v., N.J., Middlesex County Super. Ct.: 181
Neal v. Dow Agrosociences LLC, 74 S.W.3d 468 (Tex. App. 2002): 134
Nelson v. Sandoz Pharms. Corp., 288 F.3d 954 (7th Cir. 2002): 153
Netland v. Hess & Clark, Inc., 284 F.3d 895 (8th Cir. 2002): 133
New Choice Food: Enrile v., Cal., Santa Clara County Super. Ct.: 29
Newcomb v. White Consol. Indus. Inc., Or., Multnomah County Cir. Ct.: 68
Nintendo of Am., Inc.: Roccaforte v., 802 So. 2d 764 (La. Ct. App. 2001): 72
NL Indus., Inc.: City of Milwaukee v., No. 01-CV-003066 (Wis., Milwaukee County Cir. Ct. Oct. 15, 2001) (unpublished): 61
Noon v. Tropicana, N.J., Ocean County Super. Ct.: 47
NordicTrack, Inc.: Jones v., 550 S.E.2d 101 (Ga. 2001): 22
Nores v. Mazda Motor Corp., Hawaii, 1st Jud. Cir. Ct.: 180
Nueces County, Tex. v. Ford Motor Co., Tex., Nueces County Ct. Law: 182
Nunez v. Southern Wool & Skin, Inc., U.S. Dist. Ct., E.D. Wis.: 32

O

Operating Eng'rs Local 12 Health & Welfare Trust Fund v. Phillip Morris Inc., 39 P.3d 511 (Cal. 2002): 102
Owens: Harris v., 122 S. Ct. 2294 (2002): 162
Owens: Harris v., 264 F.3d 1282 (10th Cir. 2001): 78
Owens Corning Fiberglas Corp. v. Parrish, 58 S.W.3d 467 (Ky. 2001): 70

P

P.D.Q. Cotton Factory, Inc.: Hubbard v., Tex., Tarrant County 48th Jud. Dist. Ct.: 69
Palka v. General Motors Corp., Ill., Cook County Cir. Ct.: 35
Para-Chem: Roach v., Ohio, Summit County C.C.P.: 191
Park Cities Carpet & Upholstery Cleaning, Inc.: Jarrell v., 53 S.W.3d 901 (Tex. App. 2001): 30
Parrish: Owens Corning Fiberglas Corp. v., 58 S.W.3d 467 (Ky. 2001): 70
Patin v. Thoroughbred Power Boats, Inc., 294 F.3d 640 (5th Cir. 2002): 197
Patrickson: Dead Sea Bromine Co. v., 122 S. Ct. 2657 (2002): 166
People v. R.J. Reynolds Tobacco Co., No. GIC 764118, 2002 WL 1292994 (Cal., San Diego County Super. Ct. June 6, 2002): 162
Peterson v. Hill Bros. Chem. Co., Cal., Alameda County Super. Ct.: 193
Pfizer: Galada v., Pa., Phila. County C.C.P.: 193
Philip Morris: Johnson v., 159 F. Supp. 2d 950 (S.D. Tex. 2001): 77
Philip Morris Corp.: Carter v., 106 F. Supp. 2d 768 (E.D. Pa. 2000): 157
Philip Morris Corp.: Carter v., No. 4567 (Pa., Phila. County C.C.P. May 9, 2002) (unpublished): 156
Philip Morris Cos.: Myers v., 123 Cal. Rptr. 2d 40 (2002): 177
Philip Morris Inc.: Bullock v., Cal., Los Angeles County Super. Ct.: 177
Philip Morris Inc.: Estate of Schwarz v., Or., Multnomah County Cir. Ct.: 197
Philip Morris, Inc.: Henley v., 39 P.3d 512 (Cal. 2002): 101
Philip Morris Inc.: Lukacs v., Fla., Dade County Dist. Ct.: 198
Philip Morris, Inc.: United States v., 156 F. Supp. 2d 1 (D.D.C. 2001): 22
Philip Morris, Inc. v. Reilly, 267 F.3d 45 (1st Cir. 2001): 56
Philip Morris Inc. v. Republic of Venez., 287 F.3d 192 (D.C. Cir. 2002):

Phillip Morris Inc.: Operating Eng'rs Local 12 Health & Welfare Trust Fund v., 39 P.3d 511 (Cal. 2002): 102
 Pinto v. General Motors Corp., Pa., Phila. County C.C.P.: 55
 Polo Coop. Ass'n: Diehl v., 766 N.E.2d 317 (Ill. App. Ct. 2002): 132
 Porter v. Stevens Hosp., Wash., Snohomish County Super. Ct.: 175
 PPG Indus., Inc.: Marvin Lumber & Cedar Co. v., U.S. Dist. Ct., D. Minn.: 172
 Premier Park Inc.: Cartwright v., Tex., Tarrant County 236th Jud. Dist. Ct.: 176
 Pressley v. General Motors Corp., Tex., Harris County 55th Jud. Dist. Ct.: 178
 Prestige Caterers, Inc.: Jaroslawicz v., 739 N.Y.S.2d 670 (App. Div. 2002): 133
 Price v. Blood Bank of Del., Inc., 790 A.2d 1203 (Del. 2002): 137
 Productora de Semillas v. E.I. duPont de Nemours & Co., Fla., Miami-Dade County 11th Jud. Cir. Ct.: 5
 Propane Cont'l: Woltje v., Mo., Jackson County Cir. Ct.: 6
 Pruitt v. Mississippi Valley Gas Co., Miss., Noxubee County Cir. Ct.: 90
 Puget Consumers Co-op: Bonicelli v., Wash., King County Super. Ct.: 7

Q

Quesada v. Ford Motor Co., Fla., Dade County Cir. Ct.: 204

R

R.J. Reynolds Tobacco Co.: Burton v., 183 F. Supp. 2d 1308 (D. Kan. 2002): 161
 R.J. Reynolds Tobacco Co.: Burton v., U.S. Dist. Ct., D. Kan.: 198
 R.J. Reynolds Tobacco Co.: Naegele v., 123 Cal. Rptr. 2d. 61 (2002): 199
 R.J. Reynolds Tobacco Co.: People v., No. GIC 764118, 2002 WL 1292994 (Cal., San Diego County Super. Ct. June 6, 2002): 162
 Radulovic v. American Home Prods., Fla., Hillsborough County Cir. Ct.: 142
 Rainford v. Ford Motor Co., Fla., Palm Beach County Dist. Ct.: 140
 Ramirez: Volkswagen of Am., Inc. v., 79 S.W.3d 113 (Tex. App. 2002): 204
 Ramirez v. Volkswagen of Am., Inc., Tex., Hidalgo County 93d Jud. Dist. Ct.: 204
 Rankin v. Janssen Pharmaceutica, Miss., Claiborne County Cir. Ct.: 27, 82
 Reilly: Philip Morris, Inc. v., 267 F.3d 45 (1st Cir. 2001): 56
 Republic of Venez.: Philip Morris Inc. v., 287 F.3d 192 (D.C. Cir. 2002): 183
 Ridgway v. Ford Motor Co., 82 S.W.3d 26 (Tex. App. 2002): 114
 RML Corp.: Board of Dirs. of Bay Point Condo. Ass'n, Inc. v., Va., Norfolk City Cir. Ct.: 172
 Roach v. Para-Chem, Ohio, Summit County C.C.P.: 191
 Roberts v. Ford Motor Co., Tex., Hidalgo County 92d Jud. Dist. Ct.: 200
 Robins v. Kroger Co., 80 S.W.3d 641 (Tex. App. 2002): 192
 Roccaforte v. Nintendo of Am., Inc., 802 So. 2d 764 (La. Ct. App. 2001): 72
 Roe: Doe v., Cal., Los Angeles County Super. Ct.: 11
 Roe Bldg. Supply Co.: Doe v., Md., Montgomery County Cir. Ct.: 73
 Roe Dyeing Mach. Mfr. Co.: Lopez v., Cal., confidential court: 136
 Roe Mfg. Co.: Doe v., Cal., confidential court: 135
 Rohrer v. Yamaha Motor Corp. U.S.A., Ky., Graves County Cir. Ct.: 138
 Rosenberg v. American Honda Motor Co., Mo., St. Louis City Cir. Ct.: 180
 Ruder v. DaimlerChrysler Corp., U.S. Dist. Ct., E.D. Wash.: 139
 Rupp v. Sulzer Orthopedics, Inc., Tex., Nueces County Ct. at Law No. 4: 72
 RV&MH Tire Serv. Ctr.: Hannahs v., S.D., Union County Cir. Ct.: 199

S

Saber Mfg. Co.: Scheman-Gonzalez v., 816 So. 2d 1133 (Fla. Dist. Ct. App. 2002): 178
 Saburido-Garcia v. General Motors Corp., Tex., Travis County 53d Jud.

Dist. Ct.: 76
 Sanchez v. T&A Taco, No. B135791 (Cal. Ct. App. Oct. 24, 2001) (unpublished): 29
 Sandoz Pharm. Corp.: Eve v., No. IP 98-1429-C-Y/S, 2002 WL 181972 (S.D. Ind. Jan. 28, 2002): 108
 Sandoz Pharms. Corp.: Brasher v., 160 F. Supp. 2d 1291 (N.D. Ala. 2001): 28
 Sandoz Pharms. Corp.: Caraker v., 172 F. Supp. 2d 1046 (S.D. Ill. 2001): 28
 Sandoz Pharms. Corp.: Johnson v., 24 Fed. App. 533, 2001 WL 1671077 (6th Cir. 2001): 87
 Sandoz Pharms. Corp.: Nelson v., 288 F.3d 954 (7th Cir. 2002): 153
 Saucedo v. Mitsubishi Motors Corp., Tex., Harris County Probate Ct. No. 1: 157
 Saunders v. DaimlerChrysler Corp., Ala., Etowah County Cir. Ct.: 140
 SCAG Power Equip., Inc.: Acevedo v., N.J., Passaic County Super. Ct.: 172
 Scheman-Gonzalez v. Saber Mfg. Co., 816 So. 2d 1133 (Fla. Dist. Ct. App. 2002): 178
 Schindler Elevator Corp. v. Anderson, 78 S.W.3d 392 (Tex. App. 2001): 4
 Schingle v. A.P. Green Indus., Inc., Cal., San Francisco County Super. Ct.: 154
 Schmitz v. General Motors Corp., Wis., Outagamie County Cir. Ct.: 179
 Scott v. American Tobacco Co., 814 So. 2d 544 (La. 2002): 161
 Scott v. American Tobacco Co., 795 So. 2d 1176 (La. 2001): 77
 Scott v. Foreline Sec. Corp., Fla., Lake County Cir. Ct.: 171
 Scott v. Ventura Hay, Cal., Ventura County Super. Ct.: 67
 Scripto-Tokai Corp.: Hittle v., 166 F. Supp. 2d 142 (M.D. Pa. 2001): 47
 Scripto-Tokai Corp.: Smith v., 170 F. Supp. 2d 533 (W.D. Pa. 2001): 48
 Sears Roebuck & Co.: Jonietz v., U.S. Dist. Ct., W.D. Wash.: 192
 Secretary of Health & Human Servs.: Turner v., 268 F.3d 1334 (Fed. Cir. 2001): 53
 Sedeno v. Clean Tec Waste Servs., Fla., Dade County Cir. Ct.: 194
 Seither v. Winnebago Indus., Inc., La., Orleans Parish Dist. Ct.: 34
 Senco Prods., Inc.: Lauzon v., 270 F.3d 681 (8th Cir. 2001): 50
 Seo v. All-Makes Overhead Doors, 119 Cal. Rptr. 2d 160 (Ct. App. 2002): 133
 Shanaughy v. Wyeth Co., Fla., Pasco County Cir. Ct.: 142
 Sidney v. GE/Ericsson, Inc., La., Orleans Parish Civ. Dist. Ct.: 3
 Siemens Med. Sys., Inc.: Anderson v., U.S. Dist. Ct., N.D. Tex.: 53
 Silivanch v. Celebrity Cruises, Inc., 171 F. Supp. 2d 241 (S.D.N.Y. 2001): 33
 Silvestri v. General Motors Corp., 271 F.3d 583 (4th Cir. 2001): 61
 Simplimatic Eng'g Co.: Cacevic v., 645 N.W.2d 287 (Mich. Ct. App. 2001): 82
 Sleath: Dow Agrosociences LLC v., 122 S. Ct. 40 (2001): 62
 Smith v. Bayer Corp., No. B145059, 2001 WL 1660064 (Cal. Ct. App. Dec. 28, 2001): 112
 Smith v. Bryco Arms, 33 P.3d 638 (N.M. Ct. App. 2001), cert. denied, 34 P.3d 610 (N.M. 2001): 37
 Smith v. Scripto-Tokai Corp., 170 F. Supp. 2d 533 (W.D. Pa. 2001): 48
 Smith & Wesson Corp.: City of Boston v., Mass., Suffolk County Super. Ct.: 161
 Smith & Wesson Corp.: City of Gary v., 776 N.E.2d 368 (Ind. Ct. App. 2002): 205
 Smith & Wesson Corp.: City of Jersey City v., N.J., Essex County Super. Ct.: 161
 Smith & Wesson Corp.: Ganim v., 780 A.2d 98 (Conn. 2001): 37
 Smith & Wesson Corp.: Morial v., 122 S. Ct. 346 (2001): 37
 SmithKline Beecham Pharms.: Tobin v., 164 F. Supp. 2d 1278 (D. Wyo. 2001): 49
 SmithKline Beecham Pharms.: Tobin v., U.S. Dist. Ct., D. Wyo.: 48
 Somerset Indus., Inc.: Wortel v., 770 N.E.2d 1211 (Ill. Ct. App. 2002): 192
 South Tahoe Pub. Util. Dist. v. Atlantic Richfield Co., Cal., San Francisco County Super. Ct.: 32
 Southern Wool & Skin, Inc.: Nunez v., U.S. Dist. Ct., E.D. Wis.: 32
 Sprietsma v. Mercury Marine, 122 S. Ct. 917 (2002): 62
 Spurgeon v. Ford Motor Co., Mo., Jackson County Cir. Ct.: 114
 Stahl v. Wheeler Coatings Asphalt, Inc., Tex., Travis County 200th Jud. Dist. Ct.: 195
 Star Scientific, Inc. v. Beales, 278 F.3d 339 (4th Cir. 2002): 78
 Starnes v. Icon, U.S. Dist. Ct., D.S.C.: 34

State: Doe v., Cal., Los Angeles County Super. Ct.: 160
State v. Bridgestone/Firestone, Inc., Tenn., Davidson County Cir. Ct.: 15
State ex rel. Ford Motor Co. v. Messina, 71 S.W.3d 602 (Mo. 2002): 159
Steele v. Evenflo Co., Mo., St. Louis City Cir. Ct.: 202
Stegemoller v. AC&S, Inc., 767 N.E.2d 974 (Ind. 2002): 194
Stepanian v. Lincoln Manor Apartments, Cal., Los Angeles County Super. Ct.: 90
Stephenson v. Dow Chem. Co., 273 F.3d 249 (2d Cir. 2001): 70
Stevens Hosp.: Porter v., Wash., Snohomish County Super. Ct.: 175
Stewart v. American Home Prods., Fla., Dade County Cir. Ct.: 142
Stotts v. Kawasaki Motors Mfg. Corp, U.S.A., Tex., Hunt County 345th Jud. Dist. Ct.: 138
Strawser v. Atkins, 290 F.3d 720 (4th Cir. 2002): 162
Sturm, Ruger & Co.: Halliday v., 792 A.2d 1145 (Md. 2002): 141
Sulzer Orthopedics, Inc.: Rupp v., Tex., Nueces County Ct. at Law No. 4: 72
Summers: Barton v., 293 F.3d 944 (6th Cir. 2002): 162
Sun Valley Packing v. Consep, Inc., 114 Cal. Rptr. 2d 237 (Ct. App. 2001): 88
Suzuki Motor Corp.: Bowersfield v., 151 F. Supp. 2d 625 (E.D. Pa. 2001): 21
Swisher Int'l, Inc.: Doerner v., 272 F.3d 928 (7th Cir. 2001): 74
Symons v. Griffin Prods., Inc., U.S. Dist. Ct., M.D. Fla.: 113

T

T&A Taco: Sanchez v., No. B135791 (Cal. Ct. App. Oct. 24, 2001) (unpublished): 29
T.L. James & Co.: Johnson v., 809 So. 2d 287 (La. Ct. App. 2001): 31
Tlalalai v. Cooper Tire & Rubber Co., No. MID-L-8839-00 MT (N.J., Middlesex County Super. Ct. Oct. 30, 2001) (unpublished): 38
Tlalalai v. Cooper Tire & Rubber Co., N.J., Middlesex Sup. Ct.: 206
Tamiami Rentals & Constr. Servs., Inc.: Mejia v., Fla., Dade County Cir. Ct.: 173
Taylor v. Gate Pharms., 639 N.W.2d 45 (Mich. Ct. App. 2001): 107
Thoroughbred Power Boats, Inc.: Patin v., 294 F.3d 640 (5th Cir. 2002): 197
Titan Tire Corp.: Fleck v., 177 F. Supp. 2d 605 (E.D. Mich. 2001): 55
Tobin v. SmithKline Beecham Pharms., 164 F. Supp. 2d 1278 (D. Wyo. 2001): 49
Tobin v. SmithKline Beecham Pharms., U.S. Dist. Ct., D. Wyo.: 48
Touchton v. Bridgestone/Firestone Inc., Fla., Duval County Cir. Ct.: 180
Toyota Motor Corp.: Jodoin v., 284 F.3d 272 (1st Cir. 2002): 158
Trinity Indus., Inc.: Falada v., 642 N.W.2d 247 (Iowa 2002): 134
Tropicana: Noon v., N.J., Ocean County Super. Ct.: 47
Trull v. Volkswagen of Am. Inc., 229 F. 3d 343 (1st Cir. 2002): 166
Tuckier: Cooper Tire & Rubber Co. v., 826 So. 2d 679 (Miss. 2002): 62, 166
Tunnell v. Deere & Co., Ala., Greene County Cir. Ct.: 109
Turner v. Secretary of Health & Human Servs., 268 F.3d 1334 (Fed. Cir. 2001): 53
Twelker v. ATG Group Inc., Cal., Santa Clara County Super. Ct.: 91
Tyler v. Douglas, 280 F.3d 116 (2d Cir. 2001), petition for cert. denied, 122 S. Ct. 2361 (2002): 162
Tyson v. Ford Motor Co., Fla., Duval County Cir. Ct.: 118

U

U.S. Repeating Arms Co.: Flores v., Nos. 00-6324, 01-6076, 2001 WL 1135301 (10th Cir. Sept. 26, 2001) (unpublished): 37
United States v. Philip Morris Inc., 156 F. Supp. 2d 1 (D.D.C. 2001): 22
United States v. Wal-Mart Stores, Inc., U.S. Dist. Ct., D. Md.:16
United Suppliers, Inc.: Bourk v., U.S. Dist. Ct., W.D. Okla.: 5

United Techs. Corp.: Densberger v., 283 F.3d 110 (2d Cir. 2002): 101
Urwick v. Aventis Pasteur, N.C., Union County Super. Ct.: 142
Usrey: Becton Dickinson & Co. v., 57 S.W.3d 488 (Tex. App. 2001): 52
Uxa v. Marconi, Mo., St. Louis City Cir. Ct.: 202

V

Valero v. Ford Motor Co., No. 04-00-00737-CV, 2001 WL 1617181 (Tex. App. Dec. 19, 2001): 96
Valor Corp. of Fla.: Grunow v., Fla., Palm Beach County Cir. Ct.: 205
Vautour v. Body Masters Sports Indus., Inc., 784 A.2d 1178 (N.H. 2001): 73
Vellines v. General Motors, Va., Virginia Beach City Cir. Ct.: 11
Ventura Hay: Scott v., Cal., Ventura County Super. Ct.: 67
Volkswagen of Am., Inc.: Alami v., 766 N.E.2d 574 (N.Y. 2002): 75
Volkswagen of Am., Inc.: Gentry v., 564 S.E.2d 733 (Ga. Ct. App. 2002): 126
Volkswagen of Am., Inc.: Hernandez-Gomez v., 32 P.3d 424 (Ariz. Ct. App. 2001): 61
Volkswagen of Am., Inc.: Ramirez v., Tex., Hidalgo County 93d Jud. Dist. Ct.: 204
Volkswagen of Am. Inc.: Trull v., 229 F.3d 343 (1st Cir. 2002): 166
Volkswagen of Am., Inc. v. Ramirez, 79 S.W.3d 113 (Tex. App. 2002): 204

W

Wakefield v. Warner-Lambert, Okla., Tulsa County Dist. Ct.: 132
Wal-Mart Stores, Inc.: Happel v., 766 N.E.2d 1118 (Ill. 2002): 131
Wal-Mart Stores, Inc.: United States v., U.S. Dist. Ct., D. Md.:16
Walden v. Crown Equip. Corp., U.S. Dist. Ct., E.D. Tex.: 154
Walt Disney Co.: Zucker v., Cal., Los Angeles County Super. Ct.: 176
Wankier v. Crown Equip. Corp., U.S. Dist. Ct., D. Utah: 194
Warman v. American Home Prods. Corp., U.S. Dist. Ct., W.D. Mo.: 153
Warner-Lambert: Cunningham v., Miss., Hinds County Cir. Ct.: 88
Warner-Lambert: Wakefield v., Okla., Tulsa County Dist. Ct.: 132
Wave Energy Sys., Inc.: Housley v., 779 A.2d 453 (N.J. Super. Ct. App. Div. 2001): 10
Way v. American Home Prods., Ga., Fulton County State Ct.: 142
Wellcraft Marine Corp.: LaPlante v., 114 Cal. Rptr. 2d 196 (Ct. App. 2001): 93
Wendt Corp.: Clapper v., N.Y., Tioga County Sup. Ct.: 33
West Wong Constr.: Jackson Plaza Homeowners Ass'n v., 121 Cal. Rptr. 2d 221 (Ct. App. 2002): 153
Wheeler Coatings Asphalt, Inc.: Stahl v., Tex., Travis County 200th Jud. Dist. Ct.: 195
White v. Zimco Mach. Co., Mo., St. Louis City Cir. Ct.: 173
White Consol. Indus. Inc.: Newcomb v., Or., Multnomah County Cir. Ct.: 68
Winnebago Indus., Inc.: Seither v., La., Orleans Parish Dist. Ct.: 34
Woltje v. Propane Cont'l, Mo., Jackson County Cir. Ct.: 6
Woods v. Gliatech, Inc., 218 F. Supp. 2d 802 (W.D. Va. 2002): 195
Wortel v. Somerset Indus., Inc., 770 N.E.2d 1211 (Ill. Ct. App. 2002): 192
Wright v. Abbott Labs., Inc., 259 F.3d 1226 (10th Cir. 2001): 4
Wyeth Co.: Shanaughy v., Fla., Pasco County Cir. Ct.: 142

Y

Yamaha Motor Corp., U.S.A.: Land v., 272 F.3d 514 (7th Cir. 2001): 73
Yamaha Motor Corp. U.S.A.: Rohrer v., Ky., Graves County Cir. Ct.: 138
Young v. Bryco Arms, 765 N.E.2d 1 (Ill. Ct. App. 2001): 37

Z

Zimco Mach. Co.: White v., Mo., St. Louis City Cir. Ct.: 173
Zucker v. Walt Disney Co., Cal., Los Angeles County Super. Ct.: 176

News

asbestos

workers' exposure to, 205

class action suits

changes to federal rules recommended, 206

drugs

Accutane, 141, 141

acne medication, 141, 141

class action settlement finalized, 38

dexfenfluramine, 38

fen-phen, 38

fenfluramine, 38

Meridia, 97

phentermine, 38

Pondimin, 38

sibutramine, 97

Redux, 38

weight loss medication, 97

firearms

Bureau of Alcohol, Tobacco and Firearms (ATF), release of data by, 205

consumer expectation test, 141

distributor, suit against, 205

municipal litigation, 37, 37, 37, 56, 57, 141, 161, 161, 161, 205

negligent distribution, manufacturing claims, 57

personal injury litigation, 37

public nuisance litigation, 37, 37

sales histories of guns, data released by ATF, 205

“Saturday night special,” suit against

distributor, 205

successor liability, 37

food & beverages

chocolate containing lead, cadmium, 119

consumer group sues for failure to properly label chocolate, 119

medical products & equipment

class action filed, 141

dental amalgams containing mercury, 142, 142

dialyzers linked to deaths, removed from market, 14

hip prostheses,

class action settlement, 77, 77

individual litigation enjoined, 14

order enjoining individual litigation stayed, 14

statute of limitations tolled, 15

knee prostheses,

claims added to class action on defective

hip prostheses, 15

pediatric vaccines containing mercury, 141, 142, 142, 142, 142, 142, 142, 142, 142, 142

thimerosal, 141, 142, 142, 142, 142, 142, 142, 142, 142, 142, 142

motor vehicle components/accessories

fuel tanks, 182

tires,

Cooper agrees to recall in settling class action, 38

Cooper Tire class action settlement approved, 206

Firestone settles consumer law violation claims with state attorneys general, 15

Firestone tire class action held to be improperly certified, 119

Goodyear replacement program, 57

motor vehicles

Ford Crown Victoria (1992 - 2002), 182

Ford Explorer class action held to be improperly certified, 119

tobacco

cigarette content litigation, 56, 77

class action litigation, 77, 161, 205

expert testimony, 161

failure-to-warn claims, 78

master settlement agreement litigation, 78, 78, 78, 78, 161, 161, 161, 161, 161, 161

nicotine delivery system, 97

nicotine water, 97

personal injury, suit by prisoner, 182

prisoner, personal injury suit by, 182

safer tobacco alternatives, consumer group urges regulation of, 97

third-party recoupment claims, 56, 183

tobacco lozenges, 97

Federal Agency Actions

Centers for Disease Control and Prevention (CDC)

raw sprouts contamination warning, 79

Consumer Product Safety Commission (CPSC)

air guns, 16

candles, allowable lead levels in, 121

civil penalties assessed by, 16, 184

exercise equipment, 16

lawsuits filed by, 16, 16

proposed rules, 121

Department of Agriculture (USDA)

proposed rules on Listeria, 206

testing for E. coli, 183

Department of Justice (DOJ)

investigation of Metabolife, 183

Department of Transportation (DOT)

Federal Motor Vehicle Safety Standards (FMVSS),

proposed rules,

child safety seats, 119

side impact, 119

recall, 78

road tests, 207

rollover risk, measurement of, 207

shift lever, 78

sport-utility vehicles (SUV), 78

National Highway Traffic Safety

Administration (NHTSA),

child safety seats, 119

Food and Drug Administration (FDA)

Abbott Laboratories, 162

alosetron hydrochloride, 143

alprazolam, 98

anti-anxiety medication, 98

anti-inflammatory, 99

Biaxin, 162

Center for Drug Evaluation and Research

(CDER), 183

consent decree, 142

dialysis device, 58

dietary supplements, 39, 142

ephedrine, 142, 207

gel candies, 39, 58, 163

irritable bowel syndrome medication, 143

kava, 98

konjac, 39, 58

Lipokinetix, 39

Lotronex, 143

Meridia, 162

norephedrine, 39

Norvir, 162

pharmaceuticals, consolidated review of, 183

phenylpropranolamine, 39

powdered infant formula, contamination warning, 120

ProSom, 162

reporting violations regarding adverse

events, 58, 162

rofecoxib, 99

seafood, 207

Vioxx, 99

weight loss medication, 142, 162

Xanax, 98

Injury Awards

arm injuries	\$3.15 million V: 174	\$21.52 million comp. and	\$1.82 million comp. and
amputation,	22%,	\$2.75 million pun. V: 8	\$3.85 million pun. V: 72
\$4.99 million V: 33	\$1.5 million S: 7	\$19.5 million PVS: 193	\$1.53 million V: 72
\$4.02 million V: 94	21%,	\$8 million comp. and	heart damage,
\$3 million SS: 68	\$490,000 S*: 90	\$7 million pun. V: 109	\$10 million V*: 27
\$1.5 million V: 116	11%,	\$10 million comp. and	\$10 million V*: 27
\$1.45 million SS: 69	\$3.14 million V*: 30	\$500,000 pun. V: 109	\$10 million V*: 27
\$365,000 S: 160	second-degree,	peripheral vascular disease,	\$10 million V*: 27
finger,	\$800,000 S*: 8	\$198,400 comp. and	\$10 million V*: 27
amputation,	third-degree,	\$15 million pun. V: 198	\$10 million V*: 27
\$1.5 million V: 92	\$10 million comp. and	eye injuries	\$10 million V*: 27
\$1.04 million S*: 173	\$50 million pun. V*: 117	loss of,	\$10 million V*: 27
\$1 million V and \$4,000	\$2.31 million S*: 136	\$1.42 million S: 115	\$10 million V*: 27
S: 110	\$159,200 V and \$90,000	loss of vision,	\$10 million V*: 27
\$325,000 V: 172	S: 174	\$1.5 million V: 118	liver,
hand,	consortium, loss of	\$750,000 S: 175	hematoma,
amputation,	\$12.5 million V: 198	facial injuries	\$183,600 V*: 157
\$750,000 S: 32	\$10 million V: 109	generally,	leg injuries
crush injury,	\$5 million V: 8	\$1.17 million V*: 157	amputation,
\$1.04 million S*: 173	\$3.5 million V: 8	lacerations,	\$3.35 million V and
nerve and tendon damage	\$3.5 million V: 8	\$183,600 V*: 157	\$400,000 S: 138
\$675,000 V: 192	\$3.5 million V: 8	fractures	ankle,
\$350,000 V: 9	\$2 million V: 9	ankle,	tissue and bone damage,
nonunion,	\$1 million V: 109	\$1.17 million V*: 157	\$71,000 V: 55
\$112,000 V*: 47	\$750,000 S: 117	arm,	foot,
back injury	\$750,000 V: 116	\$1.03 million SS*: 3	crush injury,
generally,	\$350,000 V: 174	\$183,600 V*: 157	\$215,000 V: 154
\$2.1 million V: 92	\$250,000 V: 118	\$30,000 V: 94	generally,
spinal cord damage,	\$172,500 V: 94	finger,	\$2.98 million S and SS: 160
\$250,000 V: 34	\$150,000 S: 109	\$325,000 S: 110	\$500,000 S: 173
brain damage	\$76,700 V: 72	hand,	nerve damage,
birth injury,	\$75,000 V: 138	\$1.13 million V*: 12	\$800,000 S*: 109
\$13 million S: 175	\$52,000 V: 72	leg,	nerve injuries
\$1.35 million S: 204	\$10,000 V: 55	\$4.1 million V*: 71	brachial plexus injury,
closed head injury,	diseases	neck,	\$4 million V: 201
\$3.48 million SS*: 135	asbestosis,	\$100,000 V: 34	neurological injuries
\$1.16 million S*: 12	\$25 million V: 92	rib,	reflex sympathetic dystrophy,
traumatic brain injury,	\$25 million V: 92	\$4.2 million V*: 181	\$240,000 V: 194
\$22 million comp. and	\$25 million V: 92	\$650,000 S*: 91	paralyzing injuries
\$60 million pun. V*: 160	\$25 million V: 92	shins,	paraplegia,
\$15.3 million V: 139	\$25 million V: 92	\$753,300 V: 194	\$11.92 million S and SS: 160
\$15.23 million V*: 118	\$25 million V: 92	skull,	\$10.5 million V: 202
\$11.5 million V: 202	\$25 million V: 92	\$100,000 V*: 93	\$4.5 million S: 176
burns	asthmatic bronchitis,	spinal,	\$3.2 million SS: 138
back,	\$300,000 S: 11	\$270 million V*: 117	\$1.93 million S: 73
\$1.04 million SS*: 49	cancer,	\$4.2 million V*: 181	quadriplegia,
body,	\$850,000 comp. and	head injuries	\$26.92 million V: 171
65%,	\$28 million pun. V: 177	concussion,	\$12.5 million V and
\$25 million comp. and	\$25 million V: 198	\$183,600 V*: 157	\$1.5 million S: 137
\$125 million pun. V*:	dermatitis,	hip injuries	\$1 million S*: 199
117	\$842,000 V*: 111	crushed pelvis,	psychological injuries
\$5 million V: 191	\$80,000 comp. and	\$7.65 million V*: 195	emotional distress,
35%,	\$295,000 pun. V*: 10	internal injuries	\$112,500 S: 3
\$12 million V: 181	hepatitis-A,	failure of hip prosthetic,	shoulder injury
\$3 million V: 191	\$10 million S*: 30	\$1.02 million comp. and	\$337,000 S: 95
26%,	mesothelioma,	\$7.15 million pun. V: 72	

Insight

Subjects

automobiles
 “Danger Under the Hood—Flexible Fan Injuries,” 17
 “Winning SUV Rollover Cases,” 122

Authors

Ballow, John E., “Danger Under the Hood—Flexible Fan Injuries,” 17
 Healy, Martin J. Jr., “Winning SUV Rollover Cases,” 122

Wrongful Death Awards

Men

\$12.57 million V, 30-year-old piping supervisor earning about \$42,000 annually, survived by wife and parents: 9
\$1.55 million comp. and \$10 million pun. V, 41-year-old salesperson earning \$54,800 annually, survived by wife and mother: 132
\$7 million V, 68-year-old retiree, survived by wife: 53
\$4.18 million V, 75-year-old, survived by wife, six adult children, and one minor child: 6
\$1.5 million comp. and \$1.5 million pun. V, 19-year-old who was unemployed, survived by parents: 133
\$2.76 million V, 44-year-old construction worker with variable annual earnings, survived by one adult child and one minor child: 12
\$1.9 million V, 34-year-old credit counselor earning about \$27,000 annually, survived by parents: 13
\$1.69 million V, 61-year-old retiree, survived by wife and two adult children: 52
\$816,000 V, 36-year-old computer programmer earning \$70,000 annually, survived by wife and two minor children: 34
\$317,000 V, 76-year-old retiree, survived by wife and three adult children: 52

Women

\$150.17 million V, 53-year-old homemaker, survived by husband and two adult sons: 197
\$20 million V, 38-year-old teacher's aide earning \$15,600, survived by husband and three minor children: 114

\$9.5 million V, 37-year-old homemaker, survived by husband and four minor children: 36
\$5.83 million V, 42-year-old secretary earning about \$21,500 annually, survived by husband, one adult child, and two minor children: 12
\$4.8 million V, 30-year-old project cost estimator earning about \$45,000 annually, survived by parents: 13
\$4 million SS and \$491,000 S, 28-year-old school counselor earning about \$18,000 annually, survived by parents and minor daughter: 176
\$2 million V, 31-year-old homemaker, survived by husband: 48
\$1.79 million V, 66-year-old volunteer, survived by four adult children: 12
\$750,000 S, 48-year-old fast-food restaurant manager earning \$35,000 annually, survived by husband and two adult children: 117

Children

\$32.8 million S/AA, 9-year-old, survived by parents and siblings: 29
\$5.7 million S, 6-year-old, survived by parents and a minor sibling: 49
\$2 million V, 9-month-old, survived by father: 48
\$3 million SS, 16-month-old, survived by parents and one minor brother: 151
\$1.5 million V, 6-month-old, survived by four grandparents: 13
\$18,000 V, 13-year-old, survived by mother and two minor siblings: 34

Multiple Victims

\$2.4 million V, 60-year-old male oil field worker and 55-year-old female working in real estate, married couple survived by an adult son and the woman's mother and two sisters: 48