

## Mercedes Wins In Mich. Trial Over SUV Fire That Killed 2

By Jonathan Capriel

*Law360 (March 10, 2025, 9:49 PM EDT)* -- A Michigan state jury has sided with automaker Mercedes-Benz in a lawsuit over its GL450, one of which caught fire following a head-on collision, killing a mother and her 9-year-old daughter and leaving a son and father, a former University of Wisconsin basketball coach, with lifelong injuries.

Following a nearly six-week trial, the Wayne County jury unanimously found Friday that the Mercedes SUV at issue was not defectively designed, counsel for the plaintiffs and Mercedes told Law360 on Monday.

The fatal crash occurred on May 25, 2019.

Jennifer Moore, 46, was at the wheel of the Mercedes with her husband, Howard Moore, then UW's assistant men's basketball coach, in the passenger seat and their two children in the back seats, according to an amended complaint. A drunk motorist driving a Jeep collided head on with the family.

But the Moores' injuries from the impact were not so severe. Rather, it was the blaze that immediately engulfed the SUV that caused the tragic deaths and life-altering injuries, said Ken Khahra, attorney at Johnson Law PLC and counsel for the family.

"If the fire had not occurred, this family would have walked away from this crash," Khahra said. "It's an unspeakable tragedy what the family went through."

The verdict is particularly hard for Jerrell Moore, then 13 years old, who got out of the crash with just a fractured collarbone but watched as his younger sister, Jaidyn, who was "trapped" in the third row, "burned to death" in the vehicle along with the family dog, said Khahra.

"He relieved the entire tragedy through this trial," Khahra said. "This verdict was another punch for him. He is a strong young man, but it's not easy for him. He's got a long road ahead of him with a father who can not take care of himself."

Jennifer Moore suffered burns on 90% of her body and was transported to a hospital but died shortly after arriving, the amended complaint said. Howard Moore also sustained severe burns and was recovering. But, weeks after the crash, he suffered a pulmonary embolism which permanently disabled him, the suit said.

Counsel for Mercedes, Alexander P. Imberg a partner at Squire Patton Boggs LLP, told Law360 on Tuesday that "Our heartfelt sympathy goes out to the Moore family who suffered greatly from this tragic accident that was caused by a wrong-way drunk driver. We are grateful to the jury who carefully evaluated the evidence and concluded that the Moore's Mercedes was not defective in any way and did not cause or contribute to this tragedy."

The Moore family filed a product liability lawsuit against the automaker arguing that the 2015 Mercedes-Benz GL450 was defectively designed. Khahra said that their theory was twofold.

First, plaintiffs counsel told the jury that the antilock braking system module was defectively positioned on the driver's side of the SUV. The Moores' vehicle was hit near this spot, which caused the distribution lines to break and splash brake fluid onto the hot turbocharger. This is what sparked the fire, Khahra said.

The automaker's own research showed that a high percentage of crashes occurred near this crumple zone, he said. What's more, if the ABS module had been placed on the passenger side, it could have been placed behind the vehicle's fire wall, thereby preventing brake fluid from hitting the engine, Khahra said.

"Guess where [Mercedes] placed the ABS in the new GL450 models? Exactly there [the passenger side]. So, they changed the design," he said.

The second defect was focused on the mechanism that raised and lowered the second row bench seat. Specifically, plaintiffs counsel argued that it was poorly positioned so that Jaidyn, who was seated in the third row, could not gain access to it, effectively trapping her in the vehicle.

Beyond the burns to her body, Jaidyn did not sustain any other injury, Khahra argued.

But the jury determined that there was no defect in either of these components.

"The family is not happy with the outcome," Khahra said. "We feel very differently as well, but we have to respect the jury's decision."

Counsel for the automaker couldn't immediately respond to a request for comment.

The Moores are represented by Ven R. Johnson and Kan S. Khahra of Johnson Law PLC and Richard M. Goodman of Goodman Kalahar.

Mercedes is represented by Alexander P. Imberg and Steve Fazio of Squire Patton Boggs (US) LLP, Stephanie Douglas of Bush Seyferth PLLC, Tom Branigan, Nick Even and Matin Fallahi of Bowman and Brooke LLP.

The case is Moore et al. v. Mercedes-Benz USA LLC, case number 22-002559-NI, in the Circuit Court for the County of Wayne.

--Editing by Andrew Cohen.