

Carmaker loses minivan lawsuit

Judgment against
DaimlerChrysler likely
between \$2.26 million
and \$3.4 million

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DETROIT — A jury has ruled DaimlerChrysler AG must pay damages to the family of a toddler who died when she was run over by her mother's minivan after she inadvertently shifted the vehicle out of park, attorneys for the family and the automaker said Friday.

DaimlerChrysler said it will appeal.

A federal court jury in Atlanta awarded a total of \$4.5 million, but DaimlerChrysler

won't have to pay the full amount since the jury determined the mother of 2½-year-old Madison Hamby was partially responsible for the accident.

The court is deciding the final judgment against DaimlerChrysler, which will likely be from \$2.26 million to \$3.4 million.

Hamby was playing in her mother's 1991 Dodge Caravan in 2002 when she shifted the vehicle out of "park." As the vehicle was rolling backward, Hamby fell out of an open door and was run over.

Hamby's family said DaimlerChrysler should have installed a brake shift interlock, which prevents vehicles from being shifted out of park without depressing the brake pedal. The family said DaimlerChrysler knew of almost 200

incidents in which people were injured or died in similar accidents before it installed the device in its minivans in 2001.

All other major automakers had installed brake shift interlock by 1995, Hamby's family said. The jury also found that DaimlerChrysler should have warned consumers that children could shift the vehicles.

Last month, a jury in Iowa ruled in favor of the company in a similar case involving a Dodge Ram pickup.

