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FOR IMMEDIATE RELEASE

MLG FILES CLASS ACTION AGAINST SEVEN AUTOMAKERS FOR DEADLY AIRBAG DEFECT

On the Heels of the Takata Recall, 12.3 Million Additional Cars Believed to Have New Deadly Airbag Defect

Costa Mesa, California (July 16, 2019) – MLG, APLC, along with class action powerhouse Kaplan Fox & Kilsheimer LLP, has filed a national class action lawsuit against seven automotive manufacturers and a tier-one parts supplier for what it calls a "deadly airbag defect." The case, *Ryan Baldwin v. Kia Motor America, Inc.* (Case No. 8:19-cv-1367), was filed in federal court yesterday in Los Angeles. The named parties are automakers Kia, Hyundai, FCA, Mitsubishi, Acura, Honda and Toyota, and supplier ZF TRW Automotive.

The lawsuit alleges that 12.3 million vehicles have a defective airbag control unit (ACU), which causes airbags to not deploy and seatbelt locks to fail during a collision. According to the complaint, the ACU manufactured by ZF TRW experiences "electrical overstress" during an accident – described as an overload of electrical impulses – causing a failure of the vehicle's safety restraint systems.

The National Highway Traffic Safety Administration (NHTSA) has received numerous complaints from consumers about airbag and seatbelt failures during accidents, compelling the agency to launch an investigation. So far, NHTSA has confirmed that the defect is responsible for four deaths and many more injuries, but the investigation is continuing.

This airbag defect comes on the heels of the Takata airbag scandal, which resulted in a recall of 42 million cars in the U.S. According to Jonathan Michaels, head of the MLG legal team, if the number of impacted vehicles remains at 12.3 million, this would be the fourth largest automotive recall in the nation's history. But Michaels believes the number is going to climb much higher.

"Right now, NHTSA is investigating 12.3 million vehicles for the deadly airbag defect. However, our office receives calls every week from families who have experienced the exact same defect in cars that are not on the investigation list," said Michaels. "This situation is going to be much larger than Takata." Michaels notes that when the Takata recalls began, it was thought that only 3.6 million vehicles were impacted.

The lawsuit claims the automakers have known of the defect since 2011, but have refused to issue a recall because of economics. Under federal law, car manufacturers are required to issue a recall within five days of learning of a defect. “This is one of the most egregious breaches of public trust,” said Michaels. “Clearly, the manufacturers learned very little from the Takata situation.” Among other remedies, the lawsuit seeks punitive damages in an amount sufficient to deter future misconduct.

ABOUT MLG, APLC

Located in Orange County, California, MLG is a leading firm for protecting consumers from automotive defects. The firm has litigated cases against nearly every major automotive manufacturer in the world, and has been involved in numerous class actions against automakers for malfeasance. Follow MLG on Facebook, LinkedIn and Twitter.

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