

Daily Journal

JUNE 19, 2024

TOP Women Lawyers 2024



Christine D. Spagnoli

Greene, Broillet & Wheeler LLP

**MOTOR VEHICLE PRODUCTS LIABILITY,
PERSONAL INJURY, WRONGFUL DEATH
EL SEGUNDO**

For many years, Christine Spagnoli has been one of the country's most respected plaintiffs' attorneys who specialize in representing people harmed by defective vehicles, tires, baby seats and airbags.

She spent much of last year working on just one case. It was an auto accident that killed four people, which she blames on a defective Goodyear tire. *Furman v. Goodyear Tire & Rubber Co.*, D-101-CV-201800697 (Santa Fe Dist. Ct., March 5, 2018).

The accident was horrific. A mother, two of her four daughters and a niece were driving on I-40 in New Mexico when a Goodyear G670 tire on a motorhome failed suddenly, sending it across the median and head on into the family's small Ford Escape SUV.

Goodyear initially disputed jurisdiction in New Mexico and then appealed that issue to the state Supreme Court, which finally ruled against the tire company in 2022. But the major delays in the case, according to Spagnoli, were caused by Goodyear's attempts to limit discovery with protective orders.

"That continues to be a giant battle in every product case," she said. "Judges hate them. They hate the fights over them. And thankfully we had a judge who was not tolerant ... of abuses of using confidentiality to shield things."

Defendant companies claim many documents are trade secrets that must be kept away from their competitors. But in this case, Spagnoli said, Goodyear marked as confidential a notice for a deposition of an expert in a different case about the same tire. "That's not confidential, that's part of a public court file," she said.

Shortly before the trial date, Goodyear moved to seal the courtroom during jury selection, which Spagnoli opposed. Five days before the hearing on that motion, the company agreed to a confidential settlement.

Currently, Spagnoli is having similar battles with Mercedes Benz over an Amazon delivery van that slipped out of park twice, rolled up on a curb, tipped onto its side trapping the driver, who suffered extensive burns. Trial is set for August. *Sinapopo v. Mercedes Benz USA*, 21-civ-03449 (San Mateo Super. Ct., filed June 24, 2021)

Mercedes Benz marked as confidential various reports about similar roll-away problems with that model van publicly that available on the National Highway Traffic Safety Administration website, she said.

Spagnoli learned of another Amazon van lawsuit underway in Texas. When the car company opposed the two lawyers sharing information, she and the other attorney associated into each other's cases. The real reason defendant companies mark information confidential "is to keep all of us lawyers from talking to each other about what we know," she said.

These sorts of battles are just examples of "the challenges of doing those cases and how difficult the defendants make them," Spagnoli said. "And you just have to have the wherewithal to be patient and continue to push forward and fight the battle to get to the day court."

— DON DEBENEDICTIS