

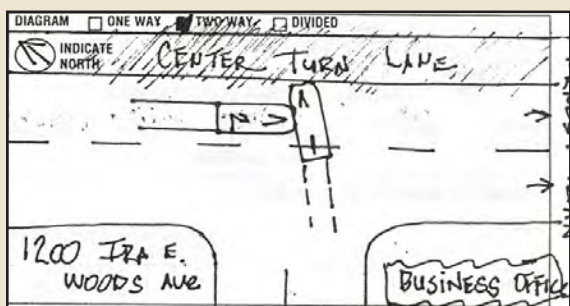


HOSSELY ★ E M B R Y
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Mercedes Benz E-320 Side Air-Bag Malfunctions

On June 5, 2002 Lonna S. was driving her 1999 Mercedes-Benz E-320 in the north Dallas, Texas area when she stopped to yield to cross-traffic. Moments later she was waived across the intersection by an S.U.V. driver in the nearest intersecting lane. As she entered the intersection a Ford F-150 pick-up traveling nearly 40 m.p.h. struck the Mercedes' driver's side door. The impact forced the door nearly 2 feet into the driver's seating area. Despite the severe impact, the driver's side-airbag did not deploy. The driver suffered a fractured pelvis, ribs, and internal bleeding. She was rushed to a nearby hospital where she remained for nearly two weeks. Once she left the hospital, she required additional rehabilitation for several months.



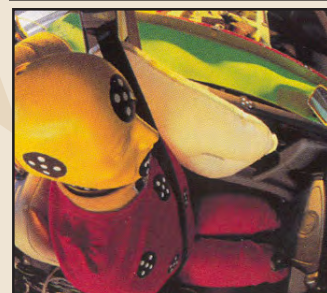
At the time the victim purchased the Mercedes, safety was a primary concern. Recognizing the importance of safety, Mercedes heavily marketed the protection provided by its various air bag systems. Mercedes' engineers have testified that the side airbag system was designed to deploy in any side-impact collision when the intrusion into the driver's seat could cause serious injury. Despite these parameters, the E-320 side bag did not deploy and failed to provide any protection. During the discovery phase of the case, it was learned that the E-320 had at least 25 other similar incidents involving severe side impact collisions and failures to deploy.



The case was set to be tried at the end of 2003 when it was resolved for a confidential amount. But only after Mercedes' counsel personally apologized to the victim for what she had to endure. Notably, in the paperwork memorializing the resolution of the case, Mercedes sought to prevent the disclosure of the facts of the accident or that the case even existed. Those efforts were rebuffed by the victim and her counsel, Jeff Embry. For additional information contact Jeff at jeff@hossleyembry.com.

The protection provided by the side-airbag was prominently featured in sales literature provided with the E-320. During its existence, the 97-02 E-320 airbag system was recalled in nearly 100,000 vehicles.

Side-impact air bag Supplemental restraint which inflates from the door panel area to cushion the occupant's lateral motion in a side impact. Side-impact air bags for both the driver and front passenger are standard on all E-Class, S-Class and SL-Class models.



www.safeairbags.com