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Trial begins in Ford van suit

3 church members died in rollover of E-350 Econoline

By Lynn Brezosky / Associated Press

LAREDO, Texas — Reconstruction of an accident that killed three church members during a trip to Mexico showed that a tire tread fell off, causing a wheel to dig into roadside dirt and sent the van tumbling into a 7-foot ravine, [Ford Motor Co.](#) lawyers said Thursday.

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“The forces of the wheels digging through the dirt were much slower than the forces at the top of the vehicle,” defense lawyer William Conroy said as opening statements began in a lawsuit against Ford over safety of the van.

The case is believed to be the first involving Ford Motor Co.’s E-350 Econoline van to go to trial since 1999, when a Kentucky jury awarded \$20 million to plaintiffs who sued over a 1995 wreck that killed three. The Texas suit seeks unspecified monetary damages.

Plaintiffs’ attorney Jeff Wigington said Thursday that the van rolled over because of several design defects, not the tire. He said Ford erred by putting too many seats in the cargo van without changing the design and failing to put it through sufficient testing.

“Ladies and gentlemen, what we got on our hands is a van rollover epidemic,” he said.

Wigington said hundreds of deaths can be attributed to such rollovers.

Michelin North America, which also was named in the suit, settled with the plaintiffs on Saturday. The settlement amount was not disclosed. The lawsuit blamed Michelin for tire defects.

Bethany Bosarge, 16, of Peachtree, Ga., Malori Smith, 17, of Highlands Ranch, Colo., and Jonnathan Lomeli, 23, of Laredo died in the June 2002 crash. The members of Victorious Christian Harvesters Church were returning from a mission to Mexico City when they wrecked on a highway near Monterrey, Mexico.

Wigington alleges Ford put rows of seats in a work van, creating a minibus that was top heavy and prone to overturn.

The lawsuit claims Ford, the nation’s second-largest automaker, negligently marketed a vehicle that was unstable and had dangerous window glass and roof components.

Ford spokeswoman Kathleen Vokes said the van’s roof passed federal strength tests. Ford names the van driver and Victoria Harvesters Church in a countersuit.

A year ago, Ford settled a lawsuit stemming from a 1996 Econoline van crash that killed two and injured 13 in Kentucky. The out-of-court settlement came after a federal judge in Chicago accused Ford of hiding evidence about the safety of its 15-passenger vans and said the

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automaker's conduct "almost borders on criminal."

In 2002, the government renewed a safety warning for 15-passenger vans, which often are used by churches, sports teams and school groups. The National Highway Traffic Safety Administration found that the vans, when carrying 10 or more people, are three times more likely to roll over than lightly loaded vans.

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