

Northeastern professor aims to lead Toyota suit

Consortium seeks to unite US cases against carmaker

By D.C. Denison
GLOBE STAFF

Toyota Motor Corp., which has been wrestling with mechanical issues related to its massive recalls of defective cars, now faces mounting legal issues as attorneys around the country start assembling consumer liability cases against the Japanese automaker.

Northeastern University law professor P. Tim Howard is leading one such group, a consortium of 22 law firms in 16 states, that said yesterday it plans to file

lawsuits against Toyota, across the nation on behalf of consumers who claim to have had problems with the company's cars or whose cars have lost value due to coverage of the world's largest automaker's recent problems.



The group, which calls itself the Attorney Toyota Action Consortium, is a federation of consumer law firms, including one in Boston.

Howard said the group is ac-

tively adding members in other states, but that at a hearing on March 25 it plans to ask a federal District Court in San Diego to consolidate the numerous cases into one class-action lawsuit.

Toyota has recalled almost 8 million vehicles on five continents for problems that include gas pedals that can stick, causing sudden acceleration. Toyota said on Tuesday that it will also recall 437,000 hybrid vehicles including the Prius, the top-selling vehicle in Japan, because of a brake system glitch.

Already dozens of individual lawsuits have been filed on behalf of Toyota owners, Howard said.

At the heart of the consortium's case is the contention that

Toyota owners have seen the value of their vehicles plummet as a result of avoidable problems with a wide range of Toyota models. The group will also assert that some Toyota owners have lost the use of their vehicles for significant periods of time.

Yesterday Howard, who also practices consumer law at Howard & Associates in Tallahassee, Fla., said that major used car valuation services like Edmunds, NADA, and Kelley Blue Book have already downgraded the resale value of Toyotas by up to 3.5 percent, and he expects an additional decrease of up to 6 percent.

"Toyota owners have been robbed of their investment, along with their ability to trade

that there will be a significant number of claims against Toyota," and that Howard's group is probably one of many seeking to represent US owners of Toyotas affected by the recalls.

"It's a race to the courthouse," Blute said.

E. Steven Coren, a partner in Kerstein, Coren and Lichtenstein, a Wellesley law firm, said the challenge for Howard's group will be to get a class of Toyota owners certified by the court, and get named lead counsel.

"Obviously there is an economic advantage for whoever ends up running the show," Coren said.

D.C. Denison can be reached at denison@globe.com.

in these vehicles rather than submit to hasty and questionable repairs," Howard said. "In the meantime, they have also lost the use of their car. That's economic damage, plain and simple."

Boston lawyer Edward Broderick will handle cases of Toyota owners in Massachusetts and Vermont. Broderick will be joined by Richard Daynard, a consumer law specialist, and the director of the Tobacco Products Liability Project and the Public Health Advocacy Institute at Northeastern.

Joseph Blute, a partner in the Boston law firm Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, who specializes in product liability defense and other product-related litigation, said he "expects