



Wrongful Death Lawsuit Reveals GM Compensation Fund Excludes 10 Million Vehicles with Ignition Switch Defect

Lawsuit states GM's Feinberg Fund fails to offer victims what GM touted

SEATTLE – Attorneys from Hagens Berman Sobol Shapiro LLP today filed a [wrongful death lawsuit against General Motors Co.](#) (NYSE:GM) on behalf of the family of Tanner Tucker, a 17-year-old boy who was killed when the airbags in his family's 2002 Pontiac Grand Am failed to deploy, due to the vehicle being in accessory or off mode. The lawsuit reveals that GM's Feinberg fund touted by the automaker as "prompt treatment" for those who "suffered terribly," excludes 10 million vehicles that were recalled for containing the deadly ignition switch defect, but are not eligible for the Feinberg fund.

Hagens Berman is also co-lead counsel representing owners of millions of recalled vehicles in nationwide [litigation against GM](#).

"The fact is that GM's Feinberg fund was established to supposedly aid those injured by the ignition switch defect, but as this smoking gun reveals, families of those who have died due to this defect are still not receiving the compensation that GM promised," said Steve Berman, managing partner of Hagens Berman. "The fund only allows victims of the first ignition switch recall to make a claim, and in my view that's an arbitrary line drawn to appease Congress, who at the time of the first ignition switch recall was closely examining GM. Then when Congress lost interest, and GM recalled another 10 million cars, GM stiffed these folks. GM's fund for victims is as broken as its ignition switches."

GM's CEO Mary Barra claimed in a statement that GM was "taking responsibility for what has happened by treating [victims and their families] with compassion, decency and fairness."

According to the [complaint](#), GM is only addressing some victims affected by the ignition switch defect. "The GM Ignition Compensation Fund administered by Kenneth Feinberg covers claims by those injured in vehicles under the February/March and April ignition switch recalls. It excludes claims arising out of the vehicles affected by five other 2014 ignition-switch recalls, which means, on top of the cars eligible for the Fund, another 10 million vehicles with defective switches—including cars like Tanner Tucker's—are on the road and capable of causing fatalities or serious injuries." Included in the lawsuit is a [photo of the vehicle](#) involved in the fatal crash, showing the key in accessory position.

"We believe that this ghastly oversight means GM's creation of the fund has been arbitrary, and was just a PR stunt to appease Congress and stave off more public outcry," Berman said. "This reveals GM's fund to be another piecemeal, dangerously insufficient response. GM has shown itself as completely negligent of vehicle owners' safety, first through its disjointed and insufficient recalls, and now through a so-called compensation fund that overlooks 10 million defective vehicles."

The complaint states, "New GM's Vehicle Safety Chief, Jeff Boyer recently proclaimed that: 'Nothing is more important than the safety of our customers in the vehicles they drive.' Yet New GM utterly failed to live up to this commitment, letting cars, including Tanner Tucker's, be operated for years with an ignition component just like the one GM's lead engineer called 'the switch from hell.'"

Hagens Berman's [class-action lawsuit against GM](#) involves defective ignition switches that can cause a car to inadvertently switch off while in operation. The defect causes the car to stall, and also disables airbags and other electrical features integral to safety, such as power steering and power brakes. According to attorneys at Hagens Berman, evidence overwhelmingly shows that "Old GM" was aware of the deadly defect for years before the bankruptcy, but chose not to conduct a safety recall and concealed its knowledge of the defect from regulators and consumers. New GM continued the cover-up for years before finally issuing recalls beginning in February of 2014.

GM acknowledges 97 deaths and numerous other life-altering injuries tied to the ignition-switch defect.

“We believe this death toll count understates the truth about the deaths caused by GM’s defective switches,” Berman said.

Find out more about Hagens Berman’s class-action against General Motors, including a [list of affected GM vehicles](#).

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[About Hagens Berman](#)

Hagens Berman Sobol Shapiro LLP is a consumer-rights class-action law firm with offices in nine cities. The firm has been named to the National Law Journal’s Plaintiffs’ Hot List eight times. More about the law firm and its successes can be found at www.hbsslaw.com. Follow the firm for updates and news at [@ClassActionLaw](#).

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