STATE OF INDIANA)
) SS:
COUNTY OF MARION)

IN THE MARION SUPERIOR COURT
CIVIL DIVISION, ROOM 5
CAUSE NO. 49D05-9311-CT-1305

VICKI AMMERMAN, Guardian of PAMELA AMMERMAN, and LANA L. AMMERMAN,

Plaintiffs,

v.

FORD MOTOR COMPANY,

Defendant.

FILED

JUL 03 1996

CLERK OF THE MARION CIRCUIT COURT

ENTRY ON DEFENDANT'S MOTION TO CORRECT ERRORS AND ON DEFENDANT'S T.R. 60(B) MOTION

This cause was tried to a jury in a solitary proceeding upon the Plaintiffs' complaint for strict liability in tort, and for punitive damages. This Court has considered over 30 pre-trial motions fully briefed by the parties, spent 17 days in trial, considered over 1,500 pages of briefs and documents in support of the Defendant's post-trial motions and has conducted a post-trial hearing regarding the efficacy of the jury's punitive damage award and the matters set forth in the Defendant's Motion for Relief From Judgment. Defendant filed an addendum to its first 60(B) motion on May 10, 1996, and filed its second 60(B) motion on July 1, 1996.

The jury returned a verdict on October 31, 1995, for compensatory damages in the amount of Four Hundred Thousand Dollars ($400,000.00) to Lana Ammerman and for Four Million Dollars ($4,000,000.00) to Pamela Ammerman upon the strict liability in tort theory posited by the Plaintiffs. In addition, the jury awarded punitive damages in the amount of Fifty Eight Million Dollars ($58,000,000.00). This is the largest punitive

Plaintiff's Exhibit
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damage award ever given by an Indiana jury. After hundreds of hours of deliberation and study, this Court now embarks upon a review of the jury's award and upon the merits of the Defendant's Motions for Relief From Judgment. Therefore, this Court finds and orders the following:

STATEMENT OF RELEVANT FACTS

1. Fred Watkins was driving a borrowed 1986 Ford Bronco II 4x4 sport utility vehicle in Rush County, Indiana, on a rural, two-lane highway. His passengers were the Plaintiffs, Pamela and Lana Ammerman. Watkins pulled out to pass two slower moving vehicles. The first vehicle in front of him also started to pass causing Watkins to take evasive actions. The evasive actions resulted in the vehicle rolling over three times on flat, dry pavement. Pamela and Lana Ammerman were ejected from the vehicle and both suffered serious, life threatening injuries.

2. In approximately October of 1980, Ford Motor Company decided to pursue the potentially lucrative market of compact or sport utility vehicle manufacture. The initial decision was to use their existing compact pickup truck, known as the Ranger, as the basis for developing their new product. Ford managers were aware that General Motors had planned to introduce a competitive sport utility vehicle in September of 1982, at the beginning of the 1983 model year. Ford decided to enter the sport utility vehicle market and set mid-January 1983 as its market production date. Ford internal documents refer to the production date as "Job #1". Making its sport utility vehicle as a derivative of the compact Ranger pickup fit perfectly with Ford's expedited

development schedule because the sport utility vehicle would be built upon the same chassis as the Ranger and the "package" would be nearly identical to Ranger from the "B" pillar forward. The derivative approach also offered Ford the highest profit of any alternative considered, i.e., $3,570.00 per vehicle.

3. American Motors Company had beaten the big three auto manufacturers to the compact utility vehicle market with its Jeep CJ-7. Ford used the CJ-7 as its "image vehicle". A few weeks after Ford's decision to build the Bronco II "Sixty Minutes" aired an investigative report which alleged a substantial roll-over propensity in the Jeep CJ-5 and CJ-7. Ford engineers were aware of the "Sixty Minutes" report, and on February 3, 1981, were concerned that the Bronco II's ability to avoid roll-over was below competitive vehicles. These opinions were based upon general principles of physics and not upon any real world testing.

4. On February 5, 1981, Ford engineers responded with five proposed solutions to the perceived stability problem. The first two proposals did not affect the prototype Ranger derivative package. Proposals three, four and five involved "significant vehicle tear-up" and substantial costs. Proposals one and two could be done within the framework of the proposed Job #1 date. Proposals three, four and five would result in a delay in production. Ford management chose proposal number two, which was tested on track during the summer and fall of 1981 at the Arizona Proving Grounds. These tests were conducted by Ford's test drivers and produced unsatisfactory results because the

prototypes tipped up when exposed to sufficient side forces. The testing had to be suspended due to extreme dangers posited upon the test drivers. Again, the test engineers reported a need to widen the track (width of vehicle from tire to tire) and to lower the center of gravity. This was not feasible according to Mr. McClure, because the 'package constraints' of the proposed production vehicle precluded widening the Bronco II track. Ford engineers predicted a major improvement in stability if the track of the vehicle were widened three to four inches, but Ford management refused to heed these recommendations. It is apparent that Ford's management was driven by a conscious decision to adhere to the Job #1 production date.

5. Ford conducted no further pre-production on-road safety testing of the Bronco II. Ford did redesign the vehicle's stabilizer bars and tested these on a new computer program (ADAMS) which showed the modified vehicle performing successful J turn tests at 59 miles per hour. This was the first time Ford Motor Company had ever used the ADAMS computer simulation. The ADAMS computer program did predict front wheel lift of the Bronco II at 32 miles per hour in the single-lane avoidance maneuver test used by the Insurance Institute of Highway Safety. Ford did later conduct on-road handling tests at its Dearborn Proving Grounds pursuant to its internal test procedures, but these tests were designed to measure aesthetic handling characteristics of the vehicle during relatively normal driving conditions. These tests bore little, if any, relation to the testing done at the Arizona Proving Ground, which tested the ability of the vehicle

to handle extreme conditions which are seldom experienced by drivers or vehicles. Ford and other automobile manufacturers have routinely relied upon limits tests and handling tests like Ford's P6-101 test in evaluating their vehicles prior to production.

6. On May 28, 1982, seven and one-half months before Job #1, Ford collected all documents relating to Bronco II handling characteristics. This is the first time in Ford history that they had gathered engineering documents relating to any particular vehicle prior to production. All documents were maintained in a single location. These documents were reviewed by Ford employees with the intent to "close the loop of vehicle documentation". This process was internally called "sanitization". The review process resulted in some documents being commented upon in margin notes by the reviewers. One hundred and thirteen documents were classified as critical. Fifty-three of these critical documents have disappeared. One of those documents is an "assessment update" which was issued two months before Job #1, which, ostensibly, listed on the "attachment two" seven major risks due to incomplete testing of Bronco II. Attachment two was never found nor produced to the Plaintiffs during this action.

7. When Chevy's S-10 Blazer was available for sale in September 1982, Ford realized that its production level Bronco II had a static stability index which was worse than Chevrolet's product. This was only three months prior to the Job #1 deadline, and Ford engineers scrambled for ways to increase

weight below the center of gravity to improve its stability index number. Ford increased the size of its gas tank from 17 to 23 gallons, adding 38 lbs. of weight below the center of gravity (presuming a full tank of gasoline). Ford added sealant to the tires, which added 8 lbs. of weight below the center of gravity. Ford also widened its track 4/10th of an inch, even though Ford engineers had previously stated that widening the track one (1) inch would have no effect upon the relative stability of the vehicle.

8. As early as 1973, Ford Motor Company declared to the National Highway Traffic Safety Administration (NHTSA) that its passenger vehicles must be forgiving of unskilled drivers, which may use panic motivated evasive maneuvers. They stated that Ford cars are designed to slide out, rather than roll over on flat, dry pavement. These were Ford's design goals for its passenger cars which were later deemed appropriate for its proposed sport utility vehicle, the Bronco II. This report to NHTSA is framed in the present tense, rather than the future tense, implying that Ford vehicles at that time slide out, rather than roll over. This implies that a "feasible" design existed for Ford's passenger vehicles as far back as 1973. Therefore, Ford knew that the design safety goals upon which Mr. Parrill and Mr. Antoun testified at trial, were a condition precedent to the delivery of a reasonably safe vehicle to the streets of America. Upon the date of the first manufacture of Bronco II, and upon the date of the manufacture of the Ford Bronco II in question in this case, Ford Motor Company could not know whether their Bronco II

production vehicle met these design standards, because it failed to test the vehicle in limits avoidance maneuvers. Furthermore, the overwhelming weight of the evidence indicates Ford should have known the production vehicle would not meet these design standards.

9. All of the above facts were known or should have been known by Ford Motor Company prior to the production of the first Ford Bronco II motor vehicle for sale to the public.

10. After the Job #1 deadline was met, and before the manufacture of the Bronco vehicle driven by Mr. Watkins in this case, the Defendant, Ford Motor Company, knew or should have known several additional facts which are set out herein below.

11. The Ford Bronco II had a shorter wheel base than competing vehicles in the sport utility classification. The shorter wheel base made the vehicle subject to under-steer. Additionally, Ford compared the Bronco II to its main competitor, the Chevy Blazer S-10 in early 1982 and found that the Bronco was 3.1 inches higher, and that the Blazer had greater ground clearance and a lower center of gravity. The Ranger derivative design implemented a twin I-beam suspension. Use of McPhearson struts would have allowed the Bronco II engine to be lowered by 1-1/4 inches, increasing the static stability index of the vehicle. Use of the twin I-beam suspension contributed to a phenomenon known as "jacking", which is the lifting of a front wheel off the ground when exposed to sufficient lateral forces. This jacking phenomenon reduced the dynamic stability of the Bronco II.

12. After the production of the 1986 Bronco II in question, but before the accident on August 2, 1991, certain actions were taken by and certain facts became known to Ford. In 1989, Ford tested the Bronco II with the twin I-beam suspension and discovered high levels of jacking almost ten times greater than its main competitor, the Blazer S-10. There were no changes to the track width or center of gravity height during the seven years that the Bronco II was placed in production.

13. A response to a NHTSA request for information in response to the Raines petition, shows that Ford Motor Company did not disclose all reports and tests to NHTSA as was requested.

14. In April 1989, Ford engineers visited the offices of Consumer's Union to discuss Bronco II's safety and stated in an internal memorandum that they had "clouded their minds, loosened some conclusions,...and sent them off to search for additional information which may work to our advantage."

15. The accident occurred on August 2, 1991, resulting in serious bodily injuries to both Plaintiffs. Pamela sustained a crushed pelvis and closed head injuries, along with several additional fractures. She has the permanent mental capacity of a 12 to 13 year old girl. She suffers from left-sided spasticity and limited function of her left extremities. Her left hand is maintained in a claw-like position, and she must walk on the outside of her left ankle. She suffers from severe emotional and mental problems, which have included episodes of depression, including attempted suicide. Lana had a severe femoral fracture, which required a rod to be inserted to stabilize the bone. She

suffered a crushed eye socket, which required extensive reconstructive surgery. Her skin and scalp were severely lacerated. She is permanently scarred and disfigured and suffers from an unsteady gait. Both Plaintiffs were very nearly killed by the accident and were saved by some extraordinary emergency medical treatment.

DEFENDANT'S MOTION FOR RELIEF FROM JUDGMENT

Ford has requested relief from the judgment entered in this case pursuant to the rarely used provisions of T.R.60(B)(3). This Court is cognizant of the differences between sections 2 and 3 of the rule, and agrees that the information gleaned by the Defendant is not "newly discovered evidence." At issue is whether information, not in existence at trial casts a substantial doubt on the judgment.

The original motion relates to tests immediately after this judgment in 1995, conducted by one of the Plaintiffs' experts, Robert Hooker. These tests show a 1993 Jeep Cherokee tipping up even though Hooker and others testified the Jeep had never tipped up. A subsequent filing relates to an April 2, 1996 Hooker test which ostensibly shows a modified Bronco II 2x4 (the vehicle in this case was a 4x4) tipping up at relatively low speeds.

The essence of any T.R.60(B)(3) motion is whether the information was obtained inadvertently and not as an offensive maneuver, and whether the information will reasonably and probably alter the result of the litigation. State ex rel. Huppert v. Pasche 637 N.E.2d 190 (Ind.App. 1994), Fairrow v. Fairrow 559 N.E.2d 597 (Ind. 1990). In Huppert, a report was

released in due course by the Township Board after the judgment. The report raised questions of fact which would have prevented the trial court from granting summary judgment. In Fairrow (a case also from this Court), a routine blood test nine years after the judicial finding of paternity excluded the "father" as a parent of the child. In each case, the outcome was undoubtedly changed below upon the discovery of the subsequent information.

Ford contend on two (2) fronts that the result of this trial would have been different had the 1995 Hooker Cherokee tests been introduced at this trial. First, the jury would have seen that a Cherokee did tip up, undermining Hooker's and Kaplan's testimony and the Plaintiffs' feasibility theory. Then, the judge would have seen the counter-steer inputs and changed his mind regarding the admissibility of the Hooker/Kaplan test methodology pursuant to I.R.E. 702(b) and Daubert v. Merrell Dow Pharmaceuticals, Inc., 113 S.Ct. 2786 (1993).

The Defendant knew about the Kaplan/Hooker tests since 1993. They were also invited to observe the testing and declined. Through the extensive discovery in this case, the Defendant should have known what the methods used by Kaplan and Hooker were going to be and what their testimony at trial was going to be. Given the vast resources dedicated to this matter by Ford, it is quite apparent that they had ample opportunity to impeach the results of the Kaplan/Hooker tests through their own experts, testing and facilities. Specifically, knowing full well that Dr. Kaplan was going to testify that no one had gotten the Cherokee

to tip up, Ford had available to it the resources to challange that notion.

Even if the Cherokee tests had been in existence, they would not have altered the result of this trial. These results would have been merely impeaching and not clearly outcome determinative. As the Plaintiffs point out, the Cherokee tested in 1995 by Hooker was a different vehicle and differently equipped than the one in the original tests. The salient fact remains that a comparable vehicle (1985 Jeep Cherokee originally tested) which was in production could be exposed to radical steering inputs and lateral forces resulting in sliding out, rather than tipping up, i.e., it complied with Ford's own safety design goals. Nothing in the 1995 testing changes this fact.

At the May 9, 1996, hearing, Ford emphasized the counter steering inputs used in the test as evidence of the Daubert repeatability problem. The Court has already ruled on this issue during the trial and sees no reason to change its former ruling admitting these tests into evidence. The automotive industry uses human test drivers to test the subjective qualities and safety of their vehicles. After all, humans are the consumers of their products. Furthermore, the industry tests the outside limits of their products with test drivers and did so in this case. The Defendant said it was designing vehicles which would slide out under panic situations, and the Hooker/Kaplan tests simulated a panic situation as best as could be done, given the extreme nature of the test and the fact that it is being performed by human beings. The Court will not engage in an

entire review of Daubert here, but suffice it to say the Court finds that the 1995 Cherokee tests would have had no affect upon its prior rulings on the admissibility of the Hooker/Kaplan tests at trial.

The Defendant conducted extensive cross-examination on the counter steer inputs. The graphic illustrations of this point in the tapes introduced in the May 9, 1995, hearing may have been effective additional cross-examination. However, the point was made at trial that wild steering inputs caused the tip ups and not design flaws. This jury and this Court heard this evidence and rejected it. The dispositive fact remains that regardless of the steering inputs, as long as they are humanly possible of being done, the Ford Bronco II should have slid out and not rolled over.

This Court will not retry the Ammerman case, nor the findings of Kaplan and Hooker based upon the tests of a different vehicle done subsequent to this trial. Therefore, the Defendant's original T.R.60(B)(3) motion is DENIED.

DEFENDANT'S SUPPLEMENT TO 60(B)(3) MOTION

The Defendant has also supplemented its original T.R.60(B)(3) motion by requesting supplemental discovery on Hooker tests conducted April 2, 1996, of a "modified" Bronco II 4x2. This poses a problem almost identical to the Cherokee testing already discussed. The 4x2 vehicle is so dissimilar to the 4x4 that this Court granted Ford's Motion In Limine to prevent any discussion of 4x2's in this case. Testing on a modified 4x2 is not material to the issues before the Court as

previously ordered by this Court in its order in limine. Furthermore, this Court is not persuaded that the modified Bronco II tests would have had any affect upon the result of this case. The fact remains that Ford's own engineers were recommending relatively minor changes in the 4x4 vehicle to make it more stable and no significant changes were made.

The Defendant's motion to reopen discovery and to file evidence of the Ritter v. Ford tests is DENIED and the Defendant's second 60(B) motion is denied.

DEFENDANT'S MOTION TO CORRECT ERRORS

A. STANDARD OF REVIEW

Ford's 50(A)(4) motion for judgment on the evidence on the punitive claim must be reviewed strictly because of the Halsip-type review seemingly required by the U.S. Constitution's due process clause. Therefore, this Court adopts a more stringent standard of review on the 50(A)(4) motion in this cause in order to avoid the duplicity of conducting a traditional "complete failure of proof" review, Lazarus v. Sutherlins 1989, Ind. App. 544 N.E.2d 513 which would later be rendered meaningless by the Halsip review. This Court will review the evidence completely independant from the jury's verdict to determine whether a reasonable jury could find that the elements of punitive damages were shown by "clear and convincing evidence".

As if in anticipation of John Grisham's new novel, the U.S. Supreme Court mandated a reigning in of unfettered jury discretion in handing out punitive damages in the recent case of Pacific Mutual Life Ins. Co. v. Halsip 499 U.S.1, 113 L.Ed. 2d1,

111 S.Ct. 1032 (1991). To pass procedural due process muster, the court implied that the jury must have been properly restrained by proper instruction as to the law. Next, the punitive award must be based upon some reasonable objective criteria. Finally, the award must be subject to court review regarding the reasonable relationship between the punitive damages awarded and the Defendant's conduct.

B. HASLIP REVIEW OF THE PUNITIVE AWARD

This review of the procedures and evidence is intended to determine if punitive damages are justified in the first instance and, if so, whether they are excessive.

It should first be noted that defendant has nowhere in its Motion to Correct Errors challenged the sufficiency nor efficacy of the final instructions. The Court's own review of its instructions on the punitive claim reveal more than adequate explanations of the clear and convincing burden of proof, of the types of conduct required and of the definitions of each term in question. The Ammerman jury was reasonably constrained by proper instructions from the Court.

It is clear to the court that this jury followed the plaintiffs' counsels' request for punitive damages to the letter. A Ford internal Program Report in 1981 projected the cost of enhanced stability at $83/unit. The jury multiplied the figure times the total number of Bronco II sales of 700,000 for a total avoided expenditure of $58,100,000. The jury awarded $58,000,000. in punitive damages to deny Ford any profit from these vehicles. The verdict was based upon rational, objective

criteria reasonably calculated to punish Ford for its wrongful actions.

The Court in its Statement of Fact set out facts upon which it relies. Taken as a whole, these facts support this jury's award of punitive damages. Specifically, this Court finds that the following facts and reasonable inferances therefrom were proven by clear and convincing evidence:

1. Before, during and after production, Ford Motor Company had knowledge that the Bronco II had a dangerous propensity to roll over.

2. Internal Ford memoranda show recommendations from design engineers to change the prototype to enhance stability. No changes were made.

3. During the development and design phase, the competition had sport utility vehicles in production. Every proposed design change was framed not only by cost considerations, but also by how it would effect Job #1.

4. During initial development, Ford knew its "image vehicle", the Jeep CJ-7, was experiencing substantial post-production stability problems.

5. Arizona Proving Ground tests early in 1982 produced tip-ups and "critical handling problems". Indeed, the testing was suspended because it was too dangerous for the test drivers.

6. Ford engineers recommended widening the track as an effective means of increasing stability. Decision makers did not head the call.

7. Ford's unprecedented preproduction document gathering and "sanitization" inferred it was getting ready to defend against anticipated litigation which it had every reason to expect. At best, the sanitization was an attempt to soften the impact of the internal documents upon a third party reader. At worst, in the case of the missing documents, specifically, Attachment II to Plaintiffs' Exhibit 174, an outright fraud was being perpetrated.

8. Ford did not make full disclosure of its prototype testing to the National Highway Traffic Safety Administration when information was requested of them in September 1988.

9. Regardless of the static stability index, the driver's steering input, or any experts' opinions, the Watson Bronco II on August 2, 1991, did not meet Ford's own design goals, i.e., that it should have slid out on dry, flat pavement, rather than roll over.

10. The Bronco II's which rolled off the assembly line are dangerous and defective. Ford's knowledge of the defect cannot be reasonably questioned. The continued push to production of this product after all of the internal protestation to the contrary, is the crassest form of corporate indifference to the safety of the ultimate user or consumer and constitutes gross negligence.

The U. S. Supreme Court looked favorably upon the factors considered by the Alabama trial courts in their procedural review of punitive damage awards. Haslip, supra. The trial court in Haslip first considered the culpability of the defendants' conduct. As set out above, this Court finds Ford to be highly

culpable in this case. Ford was aware of the dangers, attempted to conceal legitimate concerns and manufactured 700,000 of these vehicles over a seven year time span. Ford has never recalled these vehicles, nor has it ever publicly admitted the dangers which exist.

Next, the Haslip trial court reviewed the desirability of deterring others from the same or similar conduct. The motor vehicle is by its very nature a dangerous instrumentality. When offered to the public in a defective and unreasonably dangerous condition, Indiana's product liability steps in to protect our consumers. When the vehicle is marketed in Indiana with reckless disregard for anything but market share and the bottom line, Indiana's common law allows the deterrent of punitive damages. It is essential to Indiana consumers to deter other vehicle manufacturers from repeating the tragic actions of Ford.

The Haslip court then reviewed the impact upon the parties and the potential for impact upon innocent third parties. The impact of the wrong in this case upon the Ammermans is obvious and devastating. No court of appeal, no matter how high, will ever truly experience the ripping emotion of Mr. Clarkson's direct examination of Pamela Ammerman from a written page. Suffice it to say, Mr. Clarkson's courtroom brilliance in examining a childlike witness will never allow this to be merely a case of design theory or fodder for tort reform. Pamela received $4,000,000. in compensatory damages and Lana $400,000. There is no significant challenge to these figures.

This Court comes to but one unequivocal conclusion, punitive damages were proper and appropriate in this case.

C. EXCESSIVENESS/REMITTITUR

The Court having found sufficient evidence existed for a punitive damage award by the jury, and that the assessment of punitive damages against Ford for its conduct is proper, must now turn to the issue of the amount of damages which are proper.

The punitive damages awarded must bear some reasonable relationship to the damages sustained, but courts have balked at applying any rigid proportionality test. Hibschman Pontiac, Inc., v. Batchelor (1977) 266 Ind. 310, 362 N.E.2d 845. The recent U. S. Supreme Court case of BMW v. Gore, Supra, reaffirms Indiana's common law of reviewing a claim of excessive punitive damages by considering the nature of the tort, vis a vis, the actual damages incurred. The tort in Ammerman is the placing of a potentially lethal product in the stream of commerce with a heedless disregard for public safety. Relating this tort and the corporation's apparent state of mind to the mangled bodies, permanent disfigurement and brain injury sustained by the Plaintiffs in this case justifies a substantial punitive damage award.

Ford's net worth is about $219 Billion and its gross income in 1994 was, roughly, $50 Million per hour. The punitive damages awarded represent only 1% of Ford's 1994 profits. This Court cannot say that within the context of Ford's enormous wealth, its profit of $2.2 Billion from the sale of Bronco II, and the damages sustained that "at first blush" or otherwise, these

damages are excessive. The Defendant warns of the evils of multiple prosecutions for their same conduct and differing results. The Court shares those concerns, and at this point in its review of the punitive award, the Court would have considered the existence of other civil awards or criminal sanctions against the Defendant for the same conduct as mitigation of the damage award. The Defendant chose to tell of its victories and not of any financial exposure it has incurred for the production of the Bronco II. There will be no reduction in the punitive award on this basis.

B. COMMERCE CLAUSE, STATE SOVEREIGNTY AND COMITY

A state's power to impose burdens upon the interstate market place are subordinate to the federal power over commerce. Gibbons v. Ogden 9 Wheat. 1 194-196 (1824); accord, Indiana Wine & Liquor v. State ex Rel., IABC (1996) Ind. App. 662 N.E.2d 950. The reason for the U.S. constitution's commerce clause is to have a vibrant and diverse economy unfettered by state-imposed limitation.

The U.S. Constitution also requires deference be given to sister states to make their own policy regarding commerce within its borders. Edgar v. Mite Corp., 457 U.S. 624, 643 (1982). The recent Gore case, supra, stated:

> "We think it follows from these principles of state sovereignty and comity that a state may not impose economic sanctions on violations of its laws with the intent of changing the tortfeasor's lawful conduct in other states." [at p.11]

So Indiana juries are prohibited from reaching across state lines to exact punishment upon conduct in other states. The Ammerman

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this Court grants Defendant's request for remittitur pursuant to T.R. 59(J)(5) and the judgment of this Court hereby reduced as follows:

JUDGMENT

Judgment is rendered for Plaintiff Lana Ammerman and against Ford Motor Company in the amount of $7,900,027.

Judgment is rendered for Plaintiff Pamela Ammerman and against Ford Motor Company in the amount of $10,900,027.

This judgment shall supersede and relate back to the former judgment of this Court rendered on November 1, 1995.

The costs of the action are assessed against the Defendant.

It is SO ORDERED this 3rd day of July, 1996.

David L. Rimstidt, Judge
Marion Superior Court 5
Civil Division

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