

# Taurus Pistols Class Action Settlement Provides “repair or replace” Warranties and Cash Payments

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*The Taurus Pistols Class Action settlement provides “repair or replace” warranties, safety training, cash payments, and free shipping. The case alleged defects in the safety and trigger mechanisms of nearly 1 million guns.*

A federal judge gave preliminary approval to a settlement negotiated in a class action lawsuit brought against Taurus International that alleged faulty design in a number of pistols that make them likely to discharge when dropped, even with the manual safety engaged, and allow them to be fired with the safety in the on position. Bailey Glasser attorney David L Selby, II of the firm’s Birmingham, Alabama, office, M. Todd Wheelles of the Birmingham law firm Morris, Haynes, Wheelles, Knowles & Nelson, and John Barrett, of Bailey Glasser’s Charleston, West Virginia, office, are representing Chris Carter of Scott County, Iowa, as the named plaintiff on behalf of others who purchased these defective handguns.

U.S. District Judge Patricia Seitz gave preliminary approval to a settlement that would provide for an enhanced, lifetime warranty on the covered pistols. Under the enhanced warranty, any owner can submit a warranty claim at any time. Taurus would pay to ship a covered pistol to its designated warranty facility, where it would be inspected for the alleged design defects and, if possible, repaired. Pistols that cannot be repaired will be replaced with similar new pistols, with Taurus paying shipping costs.

In addition to the enhanced warranty, Taurus would also provide online safety training to owners of the covered pistols making them aware of the alleged defects and instructing in the safe operation and handling of the pistols.

Finally, the settlement allows owners to ship their pistols to Taurus at no cost and exchange their pistols for a cash payment, the value of which would depend on how many owners return their pistols. The maximum liability to Taurus for the cash exchange would be \$30 million.

## TAURUS PISTOLS CLASS ACTION SETTLEMENT PROVIDES "REPAIR OR REPLACE" WARRANTIES AND CASH PAYMENTS

**Background:** The suit alleges two defects: When the pistol is subject to impact, the trigger moves backward, which can lead to the gun firing, even with the safety engaged; and the safety latch may appear to be in the safe position when the gun is capable of being fired by a trigger pull.

Taurus pistols subject to these defects include the PT-111 Millennium; PT-132 Millennium; PT-138 Millennium; PT-140 Millennium; PT-145 Millennium; PT-745 Millennium; PT-609; PT-640; and PT-24/7.

While Chris Carter, the named plaintiff and a Scott County sheriff's deputy, was attempting to apprehend a suspect in July 2013, his holstered pistol dropped to the ground and discharged. The manual safety was in the "on" position and the spent round had not ejected from the chamber. Luckily, no one was injured.

Several owners of Taurus firearms have suffered grievous injuries following discharges after accidental drops, leading to months of surgeries and medical complications. The Sao Paulo Military Police in Brazil recalled all 98,000 Taurus 24/7 pistols issued to their personnel after discovering the pistols could be discharged without the trigger being pulled.

The final approval hearing has been scheduled for January 20, 2016. A settlement website containing complete information about the benefits of the settlement will be established in August.

### **Attorneys**

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### **Practice Areas**

Class Actions

Personal Injury & Product Liability