

# DAILY NEWS

## Little girl's fight vs. reeling auto giant



Robert Dinnigan blames faulty seat belt in GMC Envoy that failed to protect daughter, Amanda, 10, who's a quadriplegic. Photo by Christie M. Farriella

BY JOHN MARZULLI  
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ROBERT DINNIGAN is worried what will happen to his daughter Amanda if GM goes bankrupt this week.

Not because he works there — but because he's suing them.

He and hundreds of others who've taken GM and Chrysler to court for injuries they blame on defects are worried they'll end up with nothing to pay their loved ones' medical bills if the companies go belly up.

Many are debating settling their case for far less than they'd get in court.

In Dinnigan's case, he says a faulty seat belt in a GMC Envoy failed to protect 10-year-old Amanda, who's now a quadriplegic.

He estimates her health care costs to be \$500,000 a year.

"It's a very big concern right now," said Dinnigan, 47, an ironworker in Local 361, who has assembled a mini-intensive care unit in his Smithtown, L.I., home for Amanda.

Their lawsuit is still in the early stages and because he'd

be considered an unsecured creditor, he'd go to the very bottom of the list of claimants against GM in bankruptcy court. And even if there is a settlement or verdict in the Dinnigans' favor, they might collect only pennies on the dollar.

An estimated 1,200 Americans are suing GM for product liability, and 300 are suing Chrysler.

Many are debating the risk of settling their cases before the companies go under, including seven NYC Transit bus drivers and mechanics who allegedly contracted cancer and other illnesses from inhaling sickening diesel fumes from GM vehicles.

"I don't feel that I can negotiate with General Motors with a gun to my head," said the Dinnigans' lawyer, Alan Shapey of the Manhattan firm Lipsig, Shapey, Manus & Moverman.

A battalion of lawyers across the country is lobbying Congress to create a fund like the Sept. 11 Victims Compensation Fund for victims like Amanda.

"It's not fair that she be victimized once by a defective

seat belt system and then again by the mismanagement of a company that drove itself into bankruptcy," Shapey said.

Mark Noveck, 37, a father of two from Bayside, Queens, left a quadriplegic after a roll-over accident in a SUV, settled his suit against GM this month for \$999,999, according to records in Brooklyn Federal Court.

"This was a surrender, or else we could have gotten nothing," conceded Noveck's lawyer Larry Coben. A member of the creditors' committee in the Chrysler bankruptcy, Coben said the automaker is playing hardball.

"With Chrysler, they're not only seeking to extinguish all the known claims, but also extinguish those cases of injuries and deaths that have occurred but no one has filed a suit yet," he said.

For now, Dinnigan said his insurance is covering Amanda's medical bills.

"We just want to make sure she has the care she needs," he said. "And if something happens to my wife or me, we want to make sure there's enough to take care of her."

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