



**ARIZONA SUPREME COURT
ORAL ARGUMENT CASE SUMMARY**



**SHAWN MAYWALD and TANYA L. MAYWALD v.
TOYOTA MOTOR CORPORATION, et al.
CV-25-0009-PR**

PARTIES:

Petitioners: Toyota Motor Corporation, Toyota North America, Inc., and Overtyme, Inc.
(collectively “Toyota”)

Respondents: Shawn Maywald and Tanya L. Maywald (collectively “Plaintiffs”)

FACTS:

Plaintiffs were involved in an automobile accident in which the driver of a 2019 4Runner fell asleep at the wheel. Plaintiffs sued Toyota, alleging that the 4Runner should have been equipped with Lane Departure Warning (“LDW”) technology. LDW is a feature that can provide an audible and visual alert to a driver who has inadvertently left the current lane of travel. The 4Runner did not include LDW in 2017, 2018, and 2019 models. Toyota incorporated the technology into the 2020 model.

Toyota moved for summary judgment, arguing that Plaintiffs could not establish that the 2019 4Runner was defective and unreasonably dangerous. The superior court granted the motion and entered judgment in favor of Toyota. Plaintiffs appealed.

The court of appeals vacated the superior court’s judgment. It found that in determining whether the 2019 4Runner is defective and unreasonably dangerous, a risk/benefit analysis and not a consumer expectation test applies. The court then applied a risk/benefit analysis and concluded that genuine issues of material fact exist as to whether the 2019 4Runner was defectively designed. In reaching its conclusions, the court relied on *Dart v. Wiebe Manufacturing, Inc.*, 147 Ariz. 242 (1985), and *Readenour v. Marion Power Shovel*, 149 Ariz. 442 (1986).

ISSUES:

1. Does the Court of Appeals’ decision conflict with this Court’s precedent in *Readenour* and *Dart*, which requires a plaintiff to prove that a product is “unsafe for normal handling or consumption” before evaluating whether a defect makes the product unreasonably dangerous under the consumer-expectation or risk/benefit test?
2. Are ordinary consumers, through their use of automobiles, sufficiently familiar with their performance to determine whether a vehicle that does not have advanced technology to alert a driver of a lane departure is more dangerous than an ordinary consumer would expect?

3. The risk/benefit test evaluates whether a defect makes a product unreasonably dangerous by weighing the risks of the allegedly defective design against its benefits. *Dart*, 147 Ariz. at 245. Did the Court of Appeals conflict with this law when it instead stated that the test should weigh the risks and benefits of an alternative design, and then found that the jury should decide whether the benefits of an alternative design outweigh the risks of a non-defective product?

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