

LANGDON
& EMISON

Newsletter

Fall 2026

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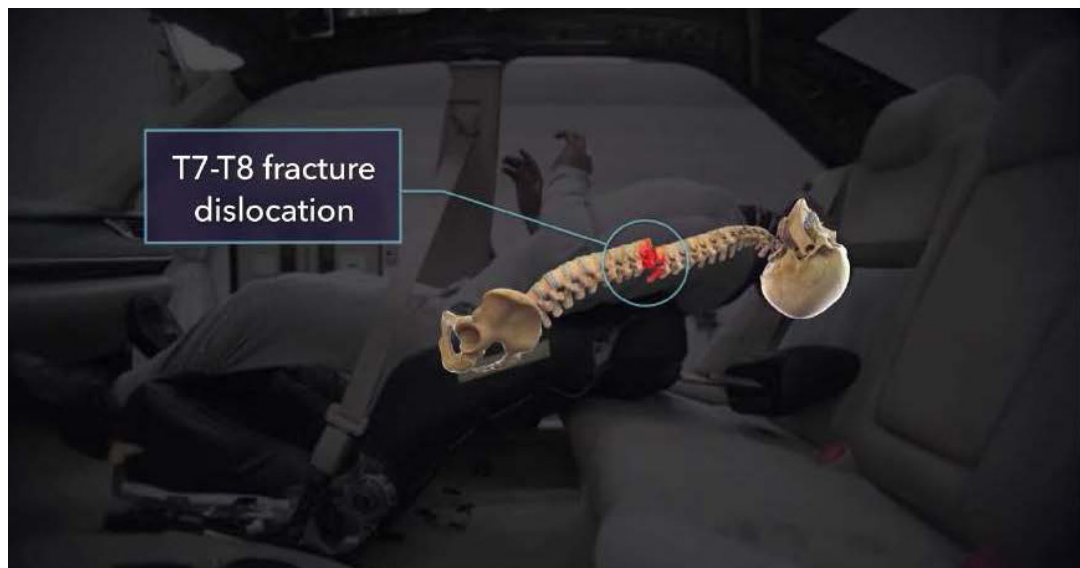
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Car Seat Defects and the Growing Concern Over Rear Seating Safety

Imagine gradually stopping in a line of highway traffic, glancing up at your rearview mirror, and seeing that a car behind you is not slowing down. There is no time to do anything but helplessly brace for impact. The safety device that will determine your fate—and the fate of anyone sitting behind you—is your front seat.

If the front seat is sufficiently strong and adequately designed, you may walk away with just temporary inconvenience and soreness. A weak and defective seat, however, increases the risk of a life-altering traumatic brain injury (TBI) or spinal injury. Sadly, defective seats and headrests needlessly continue to harm vehicle occupants.

Dangers Posed by Defective Seats

In frontal collisions, seat belts and air bags protect occupants by keeping the occupant in the seat and limiting dangerous contacts with the passenger cabin and debris. Similarly, in rear-end impacts, the front seat's role is to manage energy and contain the occupant in the front seating space. Weak, defective front seats, however, can fail, collapse, and cause front occupants to catapult backward into the rear of the vehicle. This creates a dangerous hazard to both the front occupant and those sitting in the back.

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When representing a client who was injured in a vehicle crash, be aware of the role seat and headrest defects can play in increasing the severity of injuries.

HOME EXPLOSIONS

We have seen several examples of where a home explosion can be devastating to a community and to families who have to go through that ordeal. Home explosions, while relatively rare, represent devastating events that can destroy property and claim lives in an instant. Understanding how these catastrophic incidents occur is essential for prevention and safety awareness.

NATURAL GAS LEAK

The most common cause of residential explosions involves natural gas. When gas accumulates in an enclosed space and reaches a concentration between 5 and 15 percent in air, it becomes highly explosive. Gas leaks can develop from corroded pipes, faulty appliances, improper installations, or damaged lines during construction or landscaping work.

PROPANE EXPLOSIONS

Propane is heavier than air and tends to settle in low areas like basements and crawl spaces, where it can accumulate undetected. Leaking propane tanks, whether for heating, cooking, or grills stored too close to the home, present serious explosion hazards.

HOUSEHOLD PRODUCTS AND CHEMICALS

Gasoline, paint thinners, and other volatile substances produce flammable vapors. When these accumulate in garages or basements with inadequate ventilation, any ignition source can cause an explosion.



**PROPERTY DAMAGED
BY PROPANE LEAK**



FAULTY APPLIANCES AND SYSTEMS

Water heaters, furnaces, and other gas appliances with malfunctioning pilot lights or ignition systems can allow gas to accumulate. Electrical malfunctions can provide the spark needed for ignition.

PREVENTION MEASURES

Homeowners should install carbon monoxide and natural gas detectors throughout their homes, particularly near sleeping areas and gas appliances. Regular inspection and maintenance of gas lines, appliances, and heating systems by qualified professionals is crucial. Any smell of gas warrants immediate evacuation and a call to emergency services—never attempt to locate the source yourself or turn on lights or appliances.

Proper ventilation when using chemicals, storing flammable materials outside living spaces in approved containers, and exercising caution during home renovation projects can significantly reduce explosion risks.

If you have injuries where an explosion took place inside the home, there may be a variety of parties responsible; appropriate experts can help determine what went wrong.



Negligence Claims in Truck Accidents: Holding Companies and Drivers Accountable

Truck accidents often result in catastrophic injuries due to the massive size and weight disparity between commercial trucks and passenger vehicles. When these collisions occur, determining liability frequently involves examining various forms of negligence by both trucking companies and individual drivers.

Negligent Hiring Practices

Trucking companies have a legal obligation to ensure their drivers are qualified, properly licensed, and safe to operate commercial vehicles. Negligent hiring occurs when companies fail to conduct adequate background checks, ignore poor driving records, or overlook disqualifying factors such as previous DUI convictions or suspended licenses. Some companies prioritize filling positions quickly over thoroughly vetting candidates, putting dangerous drivers on the road.

Federal regulations require commercial drivers to hold valid Commercial Driver's Licenses (CDLs) and meet specific medical standards. Companies that cut corners during the hiring process or fail to verify credentials can be held liable when their inadequately screened drivers cause accidents.



Negligent Training and Supervision

Beyond hiring, companies must provide proper training and ongoing supervision. Insufficient training on vehicle operation, cargo securement, or safety protocols constitutes negligence. When companies fail to monitor driver performance, address violations, or provide refresher training, they create conditions for preventable accidents.

Driver Negligence

Individual truck drivers can be negligent in numerous ways. Driving while fatigued remains a leading cause of truck accidents, often occurring when drivers violate hours-of-service regulations to meet delivery deadlines. Distracted driving, including cell phone use, is equally dangerous given the extended stopping distances required for loaded trucks.

Speeding and aggressive driving are particularly hazardous in commercial vehicles. Improper lane changes, following too closely, and failing to adjust for weather conditions demonstrate negligence. Driving under the influence of alcohol or drugs, including some prescription medications, constitutes clear negligence.

Inadequate Vehicle Maintenance

Companies that neglect routine maintenance or ignore known mechanical issues can be held liable for accidents resulting from brake failures, tire blowouts, or other equipment malfunctions.

Establishing Negligence Claims

Successful negligence claims require demonstrating that the company or driver owed a duty of care, breached that duty, and directly caused injuries and damages. Evidence including driver logs, hiring records, training documentation, maintenance records, and electronic logging device data often proves crucial in establishing negligence and securing compensation for victims.



Birth Injury Cases: When Medical Malpractice Harms Mothers and Newborns

Childbirth should be a joyous occasion, but medical errors during labor and delivery can result in devastating, lifelong consequences for both mothers and babies. Birth injury cases represent some of the most heartbreaking examples of medical malpractice. We have seen baby birth injuries many times in our practice, regardless of the perceived quality of the institution where the birth was taking place.

Failure to Monitor Fetal Distress

Healthcare providers must continuously monitor the baby's heart rate and oxygen levels during labor. Failing to recognize or respond to signs of fetal distress, such as abnormal heart rate patterns indicating oxygen deprivation, can lead to brain damage, cerebral palsy, or even death. Delayed decisions to perform emergency cesarean sections when medically necessary constitute negligence.

Improper Use of Delivery Instruments

Forceps and vacuum extractors, when used improperly or unnecessarily, can cause skull fractures, brain bleeding, nerve damage, and facial injuries. Excessive force during delivery may result in Erb's palsy, a condition causing arm weakness or paralysis from nerve damage.

Medication Errors

Administering incorrect dosages of labor-inducing drugs like Pitocin can cause excessively strong contractions, potentially rupturing the uterus or depriving the baby of oxygen. Failing to recognize adverse reactions to medications or anesthesia can endanger both mother and child.

Delayed or Missed Diagnoses

Failing to diagnose conditions like preeclampsia, gestational diabetes, or infections can have severe consequences. Not recognizing umbilical cord complications, such as prolapse or nuchal cord, requires immediate intervention to prevent tragedy.

Postpartum Negligence

Medical malpractice extends beyond delivery. Failing to control postpartum hemorrhaging, missing signs of infection, or inadequate newborn care in the critical hours after birth can result in preventable harm.

These cases often require extensive medical documentation and expert testimony to establish that healthcare providers deviated from accepted standards of care, directly causing injury to mother or child.

Defective Airbags on America's Roads

If a vehicle crash resulted in catastrophic injury or death, did a faulty airbag cause or enhance the injury? Whether the airbag(s) did or did not deploy, evaluate every serious injury case for a potential airbag claim.

Defects to Look For

Injuries can occur if an airbag deployed improperly or failed to deploy.

Deployment

- Late deployment
- Incomplete deployment

Non-Deployment

- Deployment event occurred but airbag did not deploy
- Passenger airbag did not deploy but driver's side did
- Torso or side curtain airbag did not deploy

Failure to Equip

- Side curtain airbags
- Torso airbags
- Frontal airbags in heavy trucks

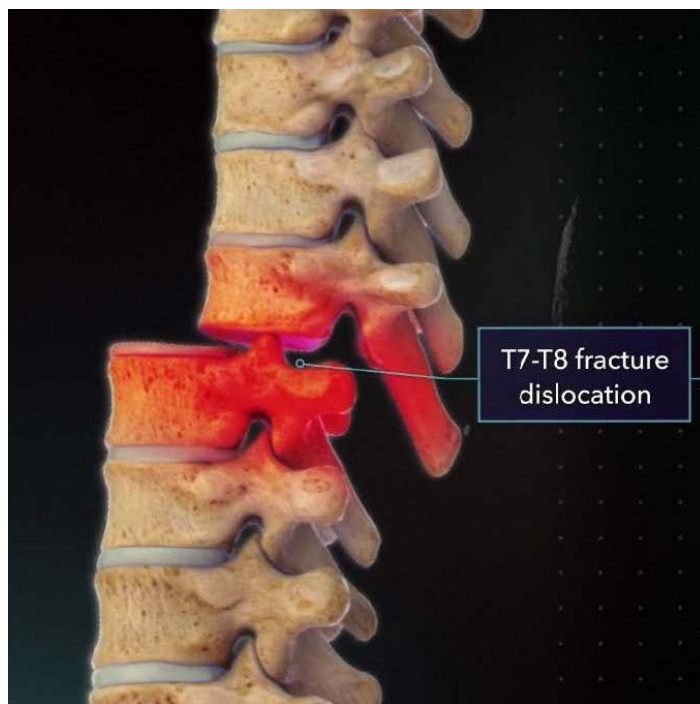
Over 11 million defective airbags remain in vehicles to date based upon NHTSA replacement figures.

Takata airbags have been used in salvage vehicles; at least 19 deaths have been tied to Takata airbags in the U.S.

Common Airbag Injuries

- Traumatic brain injury
- Vision/eye loss
- Spinal injury
- Facial, neck and chest lacerations
- Ejection

Car Seat Defects and the Growing Concern Over Rear Seating Safety *(continued from p. 1)*



Danger to children. Each year, about 50 children seated behind front seat occupants are killed in rear impacts. Countless others suffer severe brain injuries. Auto manufacturers typically recommend that children age 12 and younger be seated in the back to avoid injuries from air bag deployments, but they do not warn parents that the front seats may fail and put their children in danger. When front occupants catapult rearward in a seatback failure, children in the back seat may suffer severe TBIs.

Danger to front occupants. Seatback failures pose a potentially lethal danger to front occupants in two common scenarios. First, front occupants risk severe spinal and brain injuries as their bodies jettison into the rear of the vehicle and violently contact a rear occupant or the rear seat. Second, an initial rear-end impact may leave a front occupant out of position in the seat and vulnerable to being

thrown around within the vehicle in subsequent impacts.

Signs of Defective Seats and Headrests

If you suspect a seat failure led to or increased the severity of your client's injury, start by determining the mechanism of injury. A biomechanical expert can use the physical evidence, mechanism of the seatback failure, and evidence of injuries to determine the forces that ultimately caused the enhanced injuries. It also is important to identify deformation to the seat and evidence of occupant contact with other structures. Every rear-end collision that involves a serious TBI, spinal injury, or death should be screened for defective front seats. There are several tell-tale signs of a seat failure.

Deformed or twisted seats. In seatback failures, the front seat commonly appears deformed or twisted. While visible deformation is a red flag, deformation is not always visible. A defective seat may collapse and absorb a small amount of energy. In such a case, there will be less deformation. When there is little visible seat deformation, the key to identifying a seat failure is first identifying a severe brain or spinal injury in a rear impact.

Head and facial trauma. Trauma to both the front and rear occupants provide clues as to whether a defective front seating system contributed to enhanced injuries. Rear occupants may have severe TBIs, facial fractures, or head lacerations. Lacerations, contusions, and injuries to the back or top of a front occupant's head also provide evidence that the front occupant ramped (slid up the seat) rearward and struck a rear occupant.

Signs of contact on the rear seat. When a defective seat allows a front occupant to catapult into the rear seat, there may be evidence of the contact on the rear seat. For instance, in a recent case, a front occupant ramped into the rear of the vehicle and suffered a catastrophic spinal injury. Documentation of his hair on the rear seat provided key evidence of the front seat failure and subsequent ramping into the rear seat.

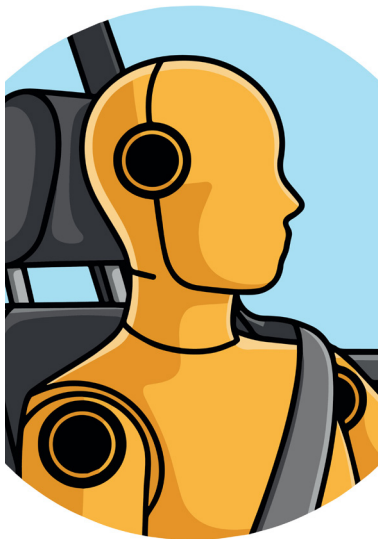
Broken or missing headrests. Look for a missing or broken headrest. To dislodge or break the headrest, an occupant's body must ramp rearward and load (apply force) the head restraint. A broken headrest shows the seat did not properly contain the occupant. Injuries resulting from headrest failure include paraplegia.

Failure Modes

The exact failure mode in a seatback is difficult to determine until the seat is "detrimmed." This involves removing the cushioning to reveal the structure of the seat and its components. To detrim a seat, an expert engineer retained by the plaintiff typically develops a protocol with the manufacturer's retained engineers.



Recliner failures. This mechanism adjusts the seatback and may be a single recliner or, as in most seats manufactured over the past 10–15 years, a dual recliner (on both sides of the seat). When a recliner fails, the seating system as a whole dangerously collapses. In a single-recliner design, the side that does not have a recliner provides no rearward resistance. In a rear-end impact, this may cause the seatback not only to deform rearward but also to twist and throw the occupant rearward toward the center of the rear seat.



Some defective seating designs are susceptible to inadvertent unlatching of one or both recliners during a rear-end event. In this failure mode, dynamic forces lead the seat to disengage the recliner mechanism, which then causes the seat to collapse rearward while absorbing little or no energy. When there is a complete or partial collapse, the seat frame will have very little deformation and bending. In these situations, you may consider potential failure modes of the recliner and scenarios that allow an occupant to disengage the seat during a collision event.

Headrest failures. In recent years, seats generally have become stronger. As seats become stronger, the failure mode in some seats has shifted to the headrest. There is a growing trend of headrest failures in seat cases. If a headrest is broken or pulled out in a rear-end impact, investigate a possible failure.

The auto industry has known about the importance of headrests and the danger of failures for decades. Rear crash testing in the 1960s of seats without headrests showed occupants faced a high risk of spinal injuries and led researchers to conclude that "head restraints are as important to the motorist involved in rear-end collisions as the safety belt is to the motorist involved in a front-end impact."

The headrest should be designed in conjunction with the seatback to support the occupant and prevent the occupant from ramping. When a seat yields rearward and a front occupant loads the headrest, weak and defective headrests may pull out or break. This creates a dangerous situation in which the front occupant's spine hyperextends over the top of the seatback, which may cause paraplegia.

Failure to contain front occupant. Also keep in mind that a seatback does not have to break to be a "failure." Although a part may break in a seatback failure, many failures have no actual broken parts. The failure is the seating system's inability to safely contain an occupant in the front occupant space. Weak seats may be elastic, rapidly yield rearward, and expose occupants to injury regardless of whether a part breaks. The keys to identifying these cases are the injuries to the occupants – namely catastrophic spine and brain injuries. (cont'd p. 10)



Common Defenses

When asserting a seatback failure claim against auto and seat manufacturers, expect them to raise certain defenses.

Federal standards. In nearly every rear-impact seat case, the manufacturer will tout that the seat passed the minimum federal standard for rearward seat strength, FMVSS 207. However, as minimum federal safety standards have improved in other areas of automotive safety over the past 50 years, seatback safety has not. Federal standards for rearward seatback strength have not changed since the 1960s. The present standard involves a pull test of an unoccupied seat that is so inadequate a lawn chair can pass. In real world crashes, seats must withstand dynamic forces and manage the weight of human beings. Tests pursuant to federal standards do not mimic real world conditions.

FMVSS 207 does not reflect how a front seat will perform in a real-world collision involving real human beings. Safety advocates have asked the federal government to increase front seat safety standards for years, and NHTSA has acknowledged that the minimum federal standard is inadequate. Despite this, multiple petitions to improve the standards have failed—auto manufacturers have repeatedly lobbied against updated standards.



Mark Emison

Severity of the impact. The manufacturers' primary defense is the severity of the collision. In virtually every case, the manufacturer will argue the crash was so severe the seat could not protect the occupant and attempt to place the sole blame on the at-fault striking driver. Manufacturers know a significant number of their vehicles will be involved in rear-end impacts, ranging from residential to highway speeds. The federal government requires vehicles to pass FMVSS 301R, a rear-impact barrier test typically run at 50–55 mph. Although it is a fuel integrity test, it exemplifies that vehicles must be crashworthy at highway speeds. These collisions are foreseeable and should not result in catastrophic injuries.

News and Notes

Legal Directories Honor Langdon & Emison as a Top Plaintiffs' Option



This year legal directories such as *Best Law Firms of America* have selected Langdon & Emison as one of its top law firms in the U.S. for personal injury litigation for plaintiffs. These legal resources seek to feature firms who practice their particular niche of law at the highest levels, and honors firms large and small from coast to coast. L&E's reputation as trial attorneys and a firm who works up complex tort cases nationally was cited as a reason for this latest honor. 2027 will complete our 40th year as a law firm, having launched in 1987 in Lexington, Mo.

Jeff Pike Receives Young Attorney Award



Jeff Pike

Langdon & Emison associate Jeff Pike has been honored with an Up & Coming Lawyers Award from *Missouri Lawyers Media*. The award is given to attorneys who have shown exemplary success in their first ten years of law practice. A graduate of Washburn University School of Law, Jeff began his legal career defending corporations and insurance companies in a wide range of matters. This included products liability, automotive, premises liability and commercial litigation. He practices in the firm's Independence, Mo., office.

Two New Associates Join Langdon & Emison



Karen Crouch

Karen Crouch and Isabella Crutchfield have joined L&E as associate attorneys. Karen earned her J.D. from the University of Missouri School of Law in May 2025. She serves as a member of the New Lawyers Committee within the Missouri Association of Trial Attorneys. Before joining the firm she gained hands-on courtroom experience through the Criminal Practice Clinic at the Callaway County Prosecutor's Office, where she learned criminal procedure and advocated on behalf of the state. During her spring externship at the U.S. Prosecutor's Office in Jefferson City, she drafted jury instructions, sentencing memos, and research memoranda while also working on oral advocacy techniques.



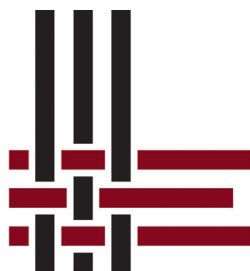
Isabella Crutchfield

Isabella graduated in May 2026 from the University of Missouri-Kansas City School of Law. While there, she was part of the national championship moot court program at UMKC, competing in many competitions and taking classes dedicated to trial advocacy. The trial ad program was recently ranked #21 in the nation by US News & World Report for teaching young trial lawyers. As a summer clerk at L&E, Isabella honed her strong research and writing skills, and was a part of many favorable settlements on behalf of firm clients. She will practice out of the firm's N. Kansas City office, while Karen practices from the firm's Independence, Mo., office.



We would love to co-counsel with you on your complex tort cases to obtain the best results possible for your client.

Ours is a story that started almost 40 years ago when attorneys Bob Langdon and Kent Emison became law partners, representing seriously injured families from their office in Lexington, MO. Today, Bob and Kent's practice now extends nationwide, and they are working every day to help those persons who have been seriously injured or killed. Langdon & Emison now has 25 attorneys, 60 support staff, and four offices.



**LANGDON
& EMISON**

Let us help maximize compensation for your clients.

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