

Pennsylvania Couple Sues Delta for Defective Chair That Caused Partial Amputation of Child's Finger

The young girl's parents allege that the Sesame Street themed children's folding chair by Delta Children's Products Corp. was defectively designed/manufactured.

NEW YORK, NEW YORK, U.S., April 24, 2018 /EINPresswire.com/ -- On behalf of a Pittsburgh, PA couple whose daughter was seriously injured by a Delta Sesame Street branded children's folding metal chair, Chaffin Luhana LLP, a national plaintiffs-only law firm with offices in Pittsburgh and New York City, has filed a new product liability lawsuit (Case # 153115/2018) in New York against Delta Children's Products Corporation, in an effort to help the family recover damages.



According to the complaint, the toddler, aged one-and-a-half years old at the time, was sitting in her Delta Sesame Street folding chair in July 2015, when the chair unexpectedly tipped backwards and collapsed. Her hands, caught in the folding metal legs, were pinched and crushed. She suffered from deep lacerations, crushed nail beds, and bone fractures, and had to have her left ring finger partially amputated. Her injuries have left her with permanent scarring and disfigurement.

The plaintiffs claim the Delta Children's Folding Chair was defectively designed and/or manufactured, and that it is unreasonably dangerous for its intended use. They add that the Delta chair failed to perform as expected, and that Delta did not live up to their responsibility to make sure the chair was safe for young children.

The plaintiffs further alleged that the U.S. Consumer Product Safety Commission (CPSC) made findings that the chair was defective. After the incident, the parties jointly agreed to submit the chair to the CPSC for inspection and testing. The CPSC's testing results allegedly showed that the chair did not comply with ASTM standards F2613-16 and F963-16, which require the chair to lock in place to prevent it from collapsing. The CPSC also allegedly found that the chair violated ASTM standard F2613-16 because it could appear to be locked even when it wasn't.

More specifically, the CPSC allegedly found that even when the chair was unfolded and a "snap" was heard—which would indicate the chair was locked into place—the chair still was not properly secured. The commission concluded that if the chair's locking pin was not completely latched when weight was applied to the back of it, such as would occur when a child sat in it, the chair could fold and collapse, as it allegedly did when the young child was injured.

The Delta chair contained no warnings disclosing any minimum weight requirements, which is notable because the CPSC allegedly found in its testing that the chair was more likely to fold and collapse when used by children weighing less than 30 pounds. The couple's daughter fit into that

category, yet the plaintiffs allege there was nothing on or accompanying the product to warn them of the increased risk for lighter children.

The CPSC determined that considering the Sesame Street design and the size of the chair, parents would likely feel it was suitable for children younger than three years old that may weigh less than 30 pounds. The only warning on the product related to weight was one indicating a recommended maximum of 80 pounds.

Chaffin Luhana LLP tried to work with Delta to resolve the case amicably out of court, but Delta failed to respond, prompting the filing of the lawsuit on April 5, 2018, in the New York Supreme Court.

"Companies like Delta have a duty to thoroughly test children's products according to current safety standards," said founding partner [Eric Chaffin](#), "and to eliminate potential hazards such as exist with this Sesame Street themed children's folding chair. When they fail to do so, it's innocent victims like this young child and her parents who pay the price. This family deserves to be compensated for the injuries suffered, but beyond that, they want to raise awareness of the potential dangers associated with this chair, so that other families don't have to suffer the same sort of trauma."

The couple brings counts of strict liability, negligence, breach of warranties, and violation of New York's consumer protection law, and seeks both compensatory and punitive damages.

About Chaffin Luhana:

Chaffin Luhana LLP has a long and successful history of protecting the rights of those who have suffered catastrophic injuries as the result of defective products, dangerous pharmaceutical drugs, and defective medical devices. Partners Eric Chaffin and [Roopal Luhana](#) represent high-profile cases in federal and state courts across the country, and provide new online resource centers for clients and the public.

To date, the attorneys of Chaffin Luhana LLP have been involved in recovering over \$1 billion for their clients during the course of their careers, and the firm itself has recovered hundreds of millions of dollars for individually injured plaintiffs. Though unable to guarantee results, the firm has a distinguished track record of success and is highly committed to each case.

If you or a loved one has suffered an injury that may be related to a dangerous or defective product, contact Chaffin Luhana LLP for a free and confidential case review at 1-888-480-1123, or visit their website at <https://www.chaffinluhana.com>.

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