

# Landmark Case Against Malibu Boats Leads to Industry-wide Manufacturing and Safety Reform

*A jury in Georgia has awarded a family the largest wrongful death settlement in history after the death of their son on a Malibu boat.*

RABUN COUNTY, GEORGIA, UNITED STATES, September 17, 2023  
/EINPresswire.com/ -- Case: [A18A0881](#)  
([Batchelder v. Malibu Boats](#))

A jury in Rabun County, Georgia has found Malibu Boats LLC and Malibu Boats West Inc. negligent in the death of 7-year-old Ryan Paul Batchelder. The jury awarded the Batchelder family \$200 million in damages, including \$80 million for Ryan's pain and suffering and an additional \$120 million in punitive damages. This is the largest verdict for pain and suffering in a wrongful death case in Georgia history.



Ski boat pulling a skier

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This is the largest verdict in Rabun County history and the largest single verdict for pain and suffering associated with wrongful death in Georgia's history.”

*Anthony Russo Jr.*

The verdict stems from a 2014 incident in which Ryan was swept out of the bow seat of a Malibu Response LX ski boat during a 5 mph bow swamping incident. The incident resulted in Ryan's fatal entanglement with the boat's unguarded propeller.

The jury found that Malibu Boats had failed to provide sufficient warnings about the bow swamping hazard. The jury also found that Malibu Boats had acted with malice or reckless indifference by continuing to sell boats with the

bow swamping hazard despite being aware of the danger.

The Batchelder family was represented by [Attorney Anthony J. Russo Jr.](#) and Attorney Donald R.

Fountain Jr., whose trial team led the case to its record-breaking verdict.

"Having known the Batchelder Family for almost a decade, it was even more meaningful for this case to serve as the catalyst for industry-wide safety change," said Mr. Russo.

"The settlement sends a resounding message that manufacturers must prioritize safety over profits," added Mr. Fountain.

In the wake of the verdict, [Malibu Boats has issued a safety alert](#) warning consumers about the bow swamping hazard in ten separate models of Malibu boats manufactured over a 25-year period (from 1986 – 2011) and sold worldwide.

Malibu has also prohibited passengers from riding in the bow seats while the boat is in motion and has undertaken a campaign to communicate this safety hazard and provide new warning labels to all boat owners.

It is extremely rare for large companies to acknowledge responsibility for one of their defective products, let alone take affirmative action to validate an injured victim's claim. In most cases, safety changes are made in secret, without any admission of fault.

There is no doubt that Malibu's admissions, the jury's verdict, and the settlement of the Batchelder case will bring about groundbreaking changes to the future of boat manufacturing and safety in the industry. This case highlights the positive impacts a jury of our peers can have on improving the safety of our community.

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