

## A Lethal Culture of Secrecy at G.M.



JUNE 10, 2014

### To the Editor:

Re "[G.M. Inquiry Cites Years of Neglect Over Fatal Defect](#)" (front page, June 6):

It should come as no surprise that William Kemp, a top lawyer who oversaw product-related litigation at General Motors, was dismissed after the report by the former United States attorney Anton R. Valukas was released. You reported that G.M., while denying that there was anything wrong, had settled at least five ignition cases secretly.

But five cases are probably the tip of the iceberg. After all, G.M. is a recidivist.

For 30 years, beginning in 1973, hundreds of lawsuits were filed against the company because the side-mounted gas tanks of its trucks caught fire or exploded. For decades, it denied this defect. But in May 2003, a Montana federal court revealed that the company, by its own admission, settled 297 side-mounted gas tank cases for \$495 million.

There is legislation that would put a stop to this secrecy: the [Sunshine in Litigation Act](#), co-written by Senators Richard Blumenthal, the Connecticut Democrat, and Lindsey Graham, the South Carolina Republican.

The bill would prevent the parties to a lawsuit from entering into these secrecy agreements. This would save hundreds, even thousands, of lives by ensuring the public's right to know.

RICHARD ZITRIN

San Francisco, June 6, 2014

*The writer, a professor of legal ethics at the University of California, Hastings College of the Law, assisted in the drafting of the Sunshine in Litigation Act of 2014.*