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GM ordered switches nearly 2 months before recall

By Tom Krisher - Associated Press - Monday, November 10, 2014

DETROIT (AP) - Emails released in a court case show that General Motors Co. ordered a half-million replacement ignition switches nearly two months before telling the government that its small cars should be recalled because the switches were defective.

The emails, released Monday by Texas personal injury attorney Robert Hilliard, once again raise questions about what GM knew about the defective switches and when, and how forthcoming the company was both in congressional testimony and in a GM-funded investigation into its conduct by former U.S. Attorney Anton Valukas.

The chain of emails between lower-level GM workers and Delphi Corp. seem to indicate that GM knew at least by Dec. 18, 2013, that the switches were the cause of air bag non-deployment in certain models such as the Chevrolet Cobalt and needed to be recalled. The Valukas report, which didn't mention the switch order, said GM executives didn't decide internally on a recall until January 2014, and alerted the government about the decision on Feb. 7. Also, the order was not mentioned when CEO Mary Barra subsequently testified before Congress.

The switches can slip out of the run position, causing engines in cars such as the Chevrolet Cobalt to stall. If that happens, the power steering, brakes and air bags are disabled, and people can lose control of their cars. GM eventually recalled 2.6 million small cars for the problem, which has caused at least 32 deaths.

The emails in the chain, which run from December into February, call the matter "urgent" and eventually use the words "safety issue."

GM says it is standard procedure to start ordering parts before a recall decision is made.

But Hilliard said GM should have told the government and warned its customers as soon as it knew about the problem. For his clients alone, a warning could have prevented one death and 85 injuries, Hilliard said.

"This pulls the curtain back completely and proves GM has not been forthright," Hilliard said.

Hilliard contends that Barra, who was head of product development and purchasing before becoming CEO, should have known about the purchase of 500,000 new switches at an unbudgeted cost of about \$3 million. "This completely reframes the conversation, the investigation and a re-examination of the truth of Ms. Barra's involvement," he said.

Barra has previously told Congress that she first learned of the switch problem in late December 2013, and the recall on Jan. 31. Spokesman Alan Adler said Monday the company stands behind Barra's original statements.

The parts were ordered a day after a committee of three GM executives met to consider a recall but decided that it didn't have enough information to make a decision. According to Valukas' report, the decision was delayed after then-Vice President of Engineering John Calabrese thought that company investigators didn't know what was causing air bags not to inflate. Calabrese has since retired.

But Hilliard said the company wouldn't order a half-million parts if it didn't know the cause of a problem. Hilliard said he is seeking additional documents to see how high up knowledge of the order went in the company's hierarchy.

"This email chain creates more questions than it answers. It will be interesting to learn from the GM documents how high up it went, how far back it went," he said.

GM would not comment on details of the emails, but said in a statement that the emails are "further confirmation" that its system needed to be reformed, which it has done.

"We have reorganized our entire safety investigation and decision process and have more investigators, move issues more quickly and make decisions with better data," the statement said.

Investigations are opened faster and a group of senior leaders quickly decides whether a recall is needed, the statement said.