

SUPREME COURT OF IOWA

Stephen Martin Scott v. Dutton-Lainson Company

774 N.W.2d 501 (Iowa 2009) · No. No. 08–0365 · Decided October 23, 2009

SUMMARY

The Iowa Supreme Court held that evidence of subsequent remedial measures was properly excluded in a products-liability action involving design-defect and failure-to-warn claims. The court concluded those claims are not strict-liability claims under Iowa law and that the evidence was offered to prove negligence or culpable conduct. The court vacated the court of appeals decision and affirmed the district court judgment for Dutton-Lainson Company.

CASE DETAILS

COURT	Supreme Court of Iowa
WRITING FOR THE COURT	Streit, Justice
JURISDICTION	Iowa
DECIDED	October 23, 2009
DOCKET	No. 08–0365
DISPOSITION	vacated
PROCEDURAL POSTURE	Scott appealed a defense verdict and the district court's exclusion of evidence concerning a subsequent remedial measure. The Iowa Court of Appeals reversed, and the Supreme Court of Iowa granted further review.
STANDARD OF REVIEW	Evidentiary rulings are reviewed for abuse of discretion, but interpretation of a rule of evidence is reviewed for errors at law. Reversal requires a showing that exclusion of the evidence affected a substantial right.
PRECEDENTIAL VALUE	Published Iowa Supreme Court opinion; precedential.
PARTIES	Stephen Martin Scott v. Dutton-Lainson Company

TOPICS

- evidence
- products liability
- hearsay
- standard of review
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Iowa Rule of Evidence 5.407 categorically permits evidence of subsequent remedial measures in design defect and failure-to-warn claims.
2. Whether evidence of a subsequent modification was admissible to prove negligence or culpable conduct in Scott's design defect and failure-to-warn claims.
3. Whether the alleged statement by Dutton-Lainson's officer was admissible as a party-opponent admission despite Rule 5.407.
4. Whether the district court's exclusion of the evidence affected Scott's substantial rights.

HOLDINGS

1. Design defect and failure-to-warn claims are not strict-liability claims for purposes of Iowa Rule of Evidence 5.407. Because those claims incorporate negligence principles and require consideration of reasonableness, subsequent remedial measures are not categorically exempt from exclusion.
2. Evidence of subsequent remedial measures is inadmissible in design defect claims, failure-to-warn claims, and breach-of-warranty claims proceeding under either of those theories when offered to prove negligence or culpable conduct. The evidence remains potentially admissible for ownership, control, feasibility of precautionary measures if controverted, or impeachment. It is also admissible in manufacturing-defect claims brought under a strict-liability theory, subject to relevance and prejudice limits.
3. A statement is not admissible merely because it is nonhearsay or qualifies as a party-opponent admission; it may still be excluded under other evidentiary rules, including Rule 5.407. Scott therefore could not avoid the exclusion of the modification evidence by characterizing the officer's statement as an admission.

KEY QUOTATIONS

“Therefore, evidence of subsequent remedial measures is inadmissible in design defect claims, failure to warn claims, and breach of warranty claims brought under either of those theories, unless the evidence is offered to prove ownership, control, feasibility, or impeachment.” (at 11-12)

“Under Iowa Rule of Evidence 5.407, evidence of subsequent remedial measures is not exempt from exclusion in design defect claims because they are not strict liability claims.” (at 12)

FACTUAL BACKGROUND

Stephen Scott was injured when a boat trailer jack collapsed and crushed his foot. He alleged that the jack was defectively designed and lacked adequate warnings. After the injury, Dutton-Lainson modified the jack-pin tooling so that the pin could move farther into the pin hole, and Scott sought to introduce evidence of that modification and related statements by a company officer.

PROCEDURAL HISTORY

Scott sued Dutton-Lainson, alleging that a boat trailer jack was defectively designed and lacked proper warnings. The district court excluded evidence that Dutton-Lainson modified the jack pin after Scott's injury under Iowa Rule of Evidence 5.407, and the jury returned a defense verdict. The Iowa Court of Appeals reversed, but the Supreme Court of Iowa vacated the court of appeals decision and affirmed the district court judgment.

DISPOSITION

vacated

CASES CITED

- State v. Stone, 764 N.W.2d 545, 548 (Iowa 2009)
- State v. Jordan, 663 N.W.2d 877, 879 (Iowa 2003)
- Tucker v. Caterpillar, Inc., 564 N.W.2d 410, 412-14 (Iowa 1997)
- Olson v. Prosoco, Inc., 522 N.W.2d 284, 289 (Iowa 1994)
- Wright v. Brooke Group Ltd., 652 N.W.2d 159, 164-69, 181-82 (Iowa 2002)
- Chown v. USM Corp., 297 N.W.2d 218, 220 (Iowa 1980)
- Hawkeye-Security Ins. Co. v. Ford Motor Co., 174 N.W.2d 672, 682-84 (Iowa 1970)
- Parish v. Jumpking, Inc., 719 N.W.2d 540, 543-45 (Iowa 2006)
- Grenada Steel Indus., Inc. v. Alabama Oxygen Co., 695 F.2d 883, 886-88 (5th Cir. 1983)
- Rahmig v. Mosley Mach. Co., 412 N.W.2d 56, 73, 82 (Neb. 1987)
- Ault v. Int'l Harvester Co., 528 P.2d 1148, 1151-52 (Cal. 1974)
- Duchess v. Langston Corp., 769 A.2d 1131, 1140-41 (Pa. 2001)

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