

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Reyes v. Apple, Inc.

Reyes · No. 3:22-cv-02900-JSC · Decided April 28, 2025

SUMMARY

The United States District Court for the Northern District of California grants Apple’s motion to exclude plaintiffs’ causation expert, Dr. Yoav Hahn, and grants Apple’s motion for summary judgment in an AirPods-related personal injury and product liability action. The court concludes that plaintiffs failed to establish reliable general or specific causation for the alleged hearing injury from a brief 113.5-decibel Amber Alert delivered through AirPods Pro.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Jacqueline Scott Corley
JURISDICTION	United States District Court for the Northern District of California
DECIDED	April 28, 2025
DOCKET	3:22-cv-02900-JSC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs brought personal injury and product-defect claims arising from alleged hearing injuries caused by an Amber Alert played through Apple AirPods Pro. After discovery closed, Apple moved to exclude plaintiffs' causation expert under Federal Rule of Evidence 702 and for summary judgment. Plaintiffs moved for partial summary judgment on Apple's comparative-negligence affirmative defense.
STANDARD OF REVIEW	Summary judgment is appropriate when the evidence would not permit a reasonable trier of fact to find for the nonmoving party on an essential element. Expert testimony is admissible under Federal Rule of Evidence 702 only when the proponent establishes that the expert is qualified, the testimony will assist the trier of fact, the methodology is reliable, and the methodology has been reliably applied to the facts. The district court acts as a gatekeeper and evaluates relevance and reliability rather than simply accepting the expert's conclusions.
PRECEDENTIAL VALUE	unknown

PARTIES

Ariani Reyes, B.G. v. Apple, Inc.

TOPICS

products liability

expert testimony

daubert standard

summary judgment

personal injury

PRACTICE AREAS

products liability

personal injury

expert testimony

summary judgment

civil procedure

QUESTIONS PRESENTED

1. Whether Dr. Yoav Hahn's causation opinions were admissible under Federal Rule of Evidence 702 and Daubert.
2. Whether plaintiffs presented sufficient admissible evidence of general causation to show that a brief exposure to sound of no more than 113.5 decibels through AirPods Pro could cause the alleged hearing injury.
3. Whether plaintiffs presented sufficient admissible evidence of specific causation to show that the Amber Alert played through B.G.'s AirPods Pro actually caused his injuries.
4. Whether Apple was entitled to summary judgment on plaintiffs' negligence, strict-liability, breach-of-implied-warranty, and negligent-infliction-of-emotional-distress claims because plaintiffs lacked evidence of causation.
5. Whether plaintiffs' motion for partial summary judgment on Apple's comparative-negligence defense remained justiciable after summary judgment was granted for Apple on all claims.

HOLDINGS

1. Dr. Hahn was not qualified to offer a general-causation opinion regarding the sound level capable of causing the alleged hearing injury, and his opinion was not supported by reliable scientific methodology or objective evidence. His testimony was excluded under Federal Rule of Evidence 702 and Daubert.
2. Plaintiffs failed to present admissible evidence from which a reasonable trier of fact could find that a brief exposure to sound of no more than 113.5 decibels through an AirPods Pro earbud was capable of causing the alleged hearing injury. Because general causation was unsupported, Apple was entitled to summary judgment.
3. Plaintiffs failed to present admissible evidence from which a reasonable trier of fact could find that the Amber Alert played through B.G.'s AirPods Pro actually caused his injuries. Dr. Hahn's specific-causation opinion was unreliable because it depended on an unsupported differential diagnosis and failed to reliably rule out COVID-related viral labyrinthitis or other plausible causes.
4. Apple was entitled to summary judgment on all of plaintiffs' remaining claims because causation was an essential element of each claim and plaintiffs had no admissible evidence establishing either general or specific causation.

KEY QUOTATIONS

“California ‘law is well settled that in a personal injury action causation must be proven within a reasonable medical probability based upon competent expert testimony.’” (Opinion at 3)

“The court’s ‘task ... is to analyze not what the experts say, but what basis they have for saying it.’” (Opinion at 5)

“The focus of the reliability inquiry is on the principles and methodology an expert uses in forming [his] opinions rather than the expert’s conclusions.” (Opinion at 6)

“Differential diagnosis cannot be used ‘to demonstrate general causation, because it assumes, without proving, that all of the potential causes considered are capable of causing the condition at issue.’” (Opinion at 9)

“Without Dr. Hahn’s testimony—testimony the Court has found unreliable—Plaintiffs cannot create a triable issue of fact on general or specific causation.” (Opinion at 14)

FACTUAL BACKGROUND

B.G. allegedly suffered sudden hearing loss and related ear injuries after an Amber Alert played through his first-generation Apple AirPods Pro. The undisputed evidence showed that the signal's maximum output was 113.5 decibels, while the cited medical evidence indicated that short-exposure acoustic trauma generally requires sound exceeding 130 decibels. B.G.'s treating otologist observed no redness, swelling, bleeding, edema, or eardrum abnormality shortly after the incident, findings the court considered inconsistent with injury from a very loud sound. Plaintiffs' sole causation expert, Dr. Yoav Hahn, attributed the injury to an acoustic shock causing a perilymphatic fistula, but relied principally on temporal proximity and did not identify supporting scientific research.

PROCEDURAL HISTORY

Plaintiffs filed the action on May 16, 2022, against Apple and the Luxshare defendants. The Court dismissed the gross-negligence and fraud-by-nondisclosure claims, plaintiffs filed a Second Amended Complaint after Carlos Gordo's death, and the Court later granted voluntary dismissal of the claims against the Luxshare defendants. The Court granted Apple's motion to exclude Dr. Hahn, granted Apple's motion for summary judgment on all remaining claims, denied plaintiffs' partial-summary-judgment motion as moot, and stated that judgment would be entered separately.

DISPOSITION

other

CASES CITED

- Onglyza Products Cases, 90 Cal. App. 5th 776, 791 (2023)
- Garner v. BNSF Railway Co., 98 Cal. App. 5th 660, 671 n.3 (2024)
- Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579, 593-94 (1993)
- Daubert v. Merrell Dow Pharmaceuticals, Inc., 43 F.3d 1311, 1316-19 (9th Cir. 1995)

- *Ellis v. Costco Wholesale Corp.*, 657 F.3d 970, 982 (9th Cir. 2011)
- *Elosu v. Middlefork Ranch Inc.*, 26 F.4th 1017, 1024 (9th Cir. 2022)
- *United States v. Valencia-Lopez*, 971 F.3d 891, 898-99 (9th Cir. 2020)
- *Kumho Tire Co. v. Carmichael*, 526 U.S. 137, 152 (1999)
- *Murray v. S. Route Maritime SA*, 870 F.3d 915, 922 (9th Cir. 2017)
- *Lust ex rel. Lust v. Merrell Dow Pharmaceuticals, Inc.*, 89 F.3d 594, 598 (9th Cir. 1996)
- *In re Bextra & Celebrex Marketing Sales Practices & Products Liability Litigation*, 524 F. Supp. 2d 1166, 1184 (N.D. Cal. 2007)
- *Avila v. Willits Environmental Remediation Trust*, 633 F.3d 828, 838-39 (9th Cir. 2011)
- *In re Silicone Gel Breast Implants Products Liability Litigation*, 318 F. Supp. 2d 879, 892 (C.D. Cal. 2004)
- *General Electric Co. v. Joiner*, 522 U.S. 136, 146 (1997)
- *In re Viagra (Sildenafil Citrate) & Cialis (Tadalafil) Products Liability Litigation*, 424 F. Supp. 3d 781, 790 (N.D. Cal. 2020)
- *In re Roundup Products Liability Litigation*, 390 F. Supp. 3d 1102, 1112 (N.D. Cal. 2018)
- *Hardeman v. Monsanto Co.*, 997 F.3d 941, 953 (9th Cir. 2021)
- *Messick v. Novartis Pharmaceuticals Corp.*, 747 F.3d 1193, 1198 (9th Cir. 2014)
- *In re Roundup Products Liability Litigation*, 737 F. Supp. 3d 893, 897-98 (N.D. Cal. 2024)
- *Johnson & Johnson Talcum Powder Cases*, 37 Cal. App. 5th 292, 323-24, 330 (2019)
- *Heller v. Shaw Industries, Inc.*, 167 F.3d 146, 154-56 (3d Cir. 1999)
- *Clausen v. M/V New Carissa*, 339 F.3d 1049, 1057-60 (9th Cir. 2003)
- *Wendell v. GlaxoSmithKline LLC*, 858 F.3d 1227, 1236 (9th Cir. 2017)
- *Kennedy v. Collagen Corp.*, 161 F.3d 1226, 1228 (9th Cir. 1998)
- *In re Incretin-Based Therapies Products Liability Litigation*, 524 F. Supp. 3d 1007, 1051 (S.D. Cal. 2021)
- *Sanderson v. International Flavors & Fragrances, Inc.*, 950 F. Supp. 981, 1004 (C.D. Cal. 1996)