

Judge throws out verdict against gun company in Fla. teacher's slaying

WEST PALM BEACH, Fla. (AP) — A judge on Monday tossed out the \$1.2 million verdict against the company that distributed the handgun 13-year-old Nathaniel Brazill used to kill his teacher two years ago.

Circuit Judge Jorge Labarga ruled the Nov. 14 award for the teacher's widow was inconsistent because the jury also determined the gun used to kill Lake Worth Middle School teacher Barry Grunow was not defective.

Pam Grunow had sued gun distributor Valor Corp. after her husband was gunned down in a school hallway in May 2000. She claimed Valor could have made the gun safer by installing a lock or other device.

Valor attorney John Renzulli said the ruling shows the gun industry can't be held liable in such cases. He blamed Brazill and Elmore McCray, who owned the .25-caliber Raven handgun and kept it in a drawer, unlocked and loaded, where Brazill found it.

"We know what happened here, a criminal got in touch with a gun and shot somebody in cold blood," Renzulli said. "That's certainly not Valor's fault."

The verdict had largely spared Valor from blame: The jury found the company liable for just 5 percent of a \$24 million judgment for selling the handgun.

Rebecca Larson, Grunow's attorney, said she will appeal. She said the company's actions should be considered negligent even though the jury determined the gun was not defective.

"For example, take a medication that's perfectly legitimate and not a defective product. If you sell it in a bottle that doesn't have a tamper proof cap, you're negligent," Larson said.

Nathaniel, who was sentenced to 28 years in prison, said he pointed the gun at his favorite teacher to scare him and never intended to pull the trigger.

He stole the gun from McCray after being sent home the last day of school for throwing water balloons. He returned to the school to say goodbye to two girls and became angry when Grunow would not let him inside his classroom.

Valor Corp., with 14,000 licensed firearms dealers nationwide, argued that the gun did what it was designed to do and was not at fault.

The lawsuit was the first brought against the firearms industry to target the absence of a gun lock and the overall design of a cheap, easily concealable weapon known on the streets as a "Saturday Night Special." At the time, gun safety advocates said the verdict would force the industry to make safer guns.

The original verdict assigned half the blame for the shooting to McCray and another 45 percent to school officials for allowing Brazill to bring a hidden weapon onto campus. McCray and the school were never expected to pay because they weren't defendants in the suit.