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14 **GEORGE CHERUKARA GEORGE, ANEETA**
15 **GEORGE, ELANJICAL JACOB GEORGE, AND**
16 **ELIZABETH GEORGE**

ELECTRONICALLY FILED
Superior Court of California,
County of Alameda
04/01/2026 at 12:43:50 PM
By: Andrei Gospel,
Deputy Clerk

17 SUPERIOR COURT OF THE STATE OF CALIFORNIA
18 COUNTY OF ALAMEDA

19 GEORGE CHERUKARA GEORGE,
20 Individually and as Successor in
21 Interest to the Estates of Tarun George,
22 Rowan George, and Aaron George,
23 ANEETA GEORGE, ELANJICAL
24 JACOB GEORGE, Individually and as
25 Successor in Interest to the Estate of
26 Rincy George, and ELIZABETH
27 GEORGE,

28 Plaintiffs,

v.

VINFAST TRADING AND
PRODUCTION LIMITED LIABILITY
COMPANY, VINFAST AUTO LTD.,
VINFAST AUTO, LLC, VINFAST USA
DISTRIBUTION, LLC, VINFAST
WHOLESALE, LLC, and DOES ONE
through ONE HUNDRED,

Defendants.

Case No. **26CV180373**

**COMPLAINT FOR DAMAGES;
DEMAND FOR JURY TRIAL**

Causes of Action:

1. Negligence (Products Liability)
2. Strict Liability (Products Liability)
3. Negligence (Post-Sale)
4. Survival Action

26 Comes now Plaintiffs GEORGE CHERUKARA GEORGE, ANEETA GEORGE,
27 ELANJICAL JACOB GEORGE, and ELIZABETH GEORGE, and allege as follows:

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INTRODUCTORY ALLEGATIONS

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2 1. On April 24, 2024, at approximately 8:00 p.m., Decedent TARUN
3 GEORGE was driving a 2023 VinFast VF8 all-electric vehicle (the "SUBJECT
4 VEHICLE"). Decedents RINCY GEORGE (Tarun's wife), ROWAN GEORGE (Tarun's
5 eldest son), and AARON GEORGE (Tarun's youngest son) were passengers in the
6 vehicle. While traveling on Foothill Road in Pleasanton, California, the SUBJECT
7 VEHICLE veered off the road, crashed into a pole and then a tree, burst into flames,
8 and killed all four occupants (the "COLLISION"). The COLLISION occurred in the
9 City of Pleasanton, County of Alameda, State of California.

10 2. Decedents ROWAN GEORGE and AARON GEORGE were unmarried
11 minor children. Decedents TARUN GEORGE, RINCY GEORGE, ROWAN GEORGE
12 and AARON GEORGE have no surviving issue.

13 3. Plaintiff GEORGE CHERUKARA GEORGE is the father of Decedent
14 TARUN GEORGE and the paternal grandfather of Decedents ROWAN GEORGE
15 and AARON GEORGE. Pursuant to California Code of Civil Procedure Section
16 377.60, Plaintiff GEORGE CHERUKARA GEORGE is a wrongful death heir to
17 Decedents TARUN GEORGE, ROWAN GEORGE and AARON GEORGE. Plaintiff
18 GEORGE CHERUKARA GEORGE is authorized to bring this survival action on
19 behalf of THE ESTATES OF TARUN GEORGE, ROWAN GEORGE, and AARON
20 GEORGE pursuant to Code of Civil Procedure §§ 377.20 and 377.30. Plaintiff
21 GEORGE CHERUKARA GEORGE has executed and filed the affidavit mandated by
22 Code of Civil Procedure § 377.32 concurrent with the filing of this Complaint.

23 4. Plaintiff ANEETA GEORGE is the mother of Decedent TARUN
24 GEORGE and the paternal grandmother of Decedents ROWAN GEORGE and
25 AARON GEORGE.

26 5. Plaintiff ELANJICAL JACOB GEORGE is the father of Decedent
27 RINCY GEORGE and the maternal grandfather of Decedents ROWAN GEORGE and
28 AARON GEORGE. Pursuant to California Code of Civil Procedure Section 377.60,

1 Plaintiff ELANJICAL JACOB GEORGE is a wrongful death heir to Decedents
2 RINCY GEORGE, ROWAN GEORGE and AARON GEORGE. Plaintiff ELANJICAL
3 JACOB GEORGE is authorized to bring this survival action on behalf of THE
4 ESTATE OF RINCY GEORGE pursuant to Code of Civil Procedure §§ 377.20 and
5 377.30. Plaintiff ELANJICAL JACOB GEORGE has executed and filed the affidavit
6 mandated by Code of Civil Procedure § 377.32 concurrent with the filing of this
7 Complaint.

8 6. Plaintiff ELIZABETH GEORGE is the mother of Decedent RINCY
9 GEORGE and the maternal grandmother of Decedents ROWAN GEORGE and
10 AARON GEORGE.

11 7. Defendant VINFAST TRADING AND PRODUCTION LIMITED
12 LIABILITY COMPANY (“VINFAST TRADING”) is a business entity with a principal
13 place of business in Hai Phong, Vietnam. At all times herein mentioned, Defendant
14 VINFAST TRADING was, and is, authorized to do business within the State of
15 California, and was, and is, engaged in the business of deriving profit from designing,
16 manufacturing, warning, advertising, promoting, importing, and selling or making
17 available for sale VinFast automobiles within the State of California.

18 8. Defendant VINFAST AUTO LTD. is a business entity with a principal
19 place of business in Hai Phong, Vietnam. At all times herein mentioned, Defendant
20 VINFAST AUTO LTD. was, and is, authorized to do business within the State of
21 California, and was, and is, engaged in the business of deriving profit from designing,
22 manufacturing, warning, advertising, promoting, importing, and selling or making
23 available for sale VinFast automobiles within the State of California.

24 9. Defendant VINFAST AUTO, LLC is a business entity formed in the
25 State of Delaware with a principal place of business in the State of California. At all
26 times herein mentioned, Defendant VINFAST AUTO, LLC was, and is, authorized to
27 do business within the State of California, and was, and is, engaged in the business
28 of deriving profit from designing, manufacturing, warning, advertising, promoting,

1 importing, and selling or making available for sale VinFast automobiles within the
2 State of California.

3 10. Defendant VINFAST USA DISTRIBUTION, LLC is a business entity
4 formed in the State of Delaware with a principal place of business in the State of
5 California. At all times herein mentioned, Defendant VINFAST USA
6 DISTRIBUTION, LLC was, and is, authorized to do business within the State of
7 California, and was, and is, engaged in the business of deriving profit from designing,
8 manufacturing, warning, advertising, promoting, importing, and selling or making
9 available for sale VinFast automobiles within the State of California.

10 11. Defendant VINFAST WHOLESALE, LLC is a business entity formed in
11 the State of California with a principal place of business also in the State of
12 California. At all times herein mentioned, Defendant VINFAST WHOLESALE, LLC
13 was, and is, authorized to do business within the State of California, and was, and is,
14 engaged in the business of deriving profit from designing, manufacturing, warning,
15 advertising, promoting, importing, and selling or making available for sale VinFast
16 automobiles within the State of California.

17 12. Defendants described in Paragraphs 7-11 are referred to herein
18 collectively as the VINFAST DEFENDANTS.

19 13. At all times herein, the VINFAST DEFENDANTS were engaged in the
20 business of designing, testing, manufacturing, distributing, promoting, maintaining,
21 selling, and placing into the stream of commerce motor vehicles, such as the
22 SUBJECT VEHICLE, which were used in the State of California on public roadways.

23 14. Plaintiffs are ignorant of the true names and capacities of DOES ONE
24 through ONE HUNDRED and therefore sue such Defendants by fictitious names.
25 Plaintiffs will amend this Complaint to allege the true names and capacities of said
26 Defendants when they have been identified. On information and belief, Plaintiffs
27 allege that each of said Defendants is responsible in some manner for the occurrences
28 herein alleged, and Plaintiffs' damages as herein alleged were proximately caused by

1 said Defendants, said Defendants' agents, servants, or employees, and each of them,
2 or through said Defendants' ownership, operation, control, possession, distribution,
3 and supervision, servicing, maintenance, inspection, repair, entrustment, use,
4 furnishing, design, manufacturing, or sale of the premises, products or
5 instrumentalities which proximately caused the injuries and damages herein.

6 15. Plaintiffs are informed and believe, and thereon allege, that at all times
7 herein mentioned, each Defendant acted as the agent, servant, partner, franchisee,
8 alter ego, joint venturer, and/or employee of each of the other Defendants, and each
9 was at all times acting as part of the same single business enterprise and/or within
10 the course and scope of such agency, service, employment, joint venture, partnership,
11 franchise and/or authority.

12 16. Each defendant has sufficient minimum contacts with California, or
13 otherwise purposefully avails itself of benefits and protections of California or does
14 business in California, so as to render the exercise of jurisdiction over it by the
15 California courts consistent with traditional notions of fair play and substantial
16 justice consistent with Due Process.

17 17. This Court is a proper venue because the COLLISION, which is the
18 basis of this Complaint, occurred in the County of Alameda, State of California.

19 **FIRST CAUSE OF ACTION**
20 **Negligence (Products Liability) - VINFAST DEFENDANTS**

21 18. At all times relevant hereto, the VINFAST DEFENDANTS, and DOES
22 ONE through TWENTY, and each of them, were engaged in the business of
23 designing, developing, manufacturing, testing, engineering, approving, marketing,
24 promoting, assembling, equipping, inspecting, repairing, labeling, fabricating,
25 advertising, distributing, wholesaling, selling, and supplying automobiles and
26 component parts of automobiles, including the SUBJECT VEHICLE, for use by the
27 consuming public throughout the United States.

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1 19. At all relevant times, the VINFAST DEFENDANTS, and DOES ONE
2 through TWENTY, and each of them, equipped the SUBJECT VEHICLE with
3 multiple driver assistance and crash-avoidance features, including systems
4 collectively referred to as Advanced Driver Assistance Systems (“ADAS”). When
5 activated, these ADAS features, including Traffic Assist, Highway Driving
6 Assistance, Lane Keeping Assist, Adaptive Cruise Monitoring, and Emergency Lane
7 Keeping Assist, are designed to exert direct control over the vehicle’s lateral and
8 longitudinal motion, including steering inputs and speed modulation in order to
9 maintain lane position and avoid hazards. In such circumstances, the systems are
10 intended to provide safe, stable, and predictable control inputs consistent with
11 maintaining the vehicle within its lane and under control.

12 20. The VINFAST DEFENDANTS, and DOES ONE through TWENTY, and
13 each of them, extensively marketed and advertised these ADAS features,
14 representing that they would enhance safety and assist drivers in maintaining lane
15 position, avoiding hazards, and controlling the vehicle under ordinary driving
16 conditions. In doing so, Defendants encouraged and reasonably induced drivers,
17 including Decedent TARUN GEORGE, to rely on these systems to function as
18 represented and to perform in a safe and predictable manner when used in a
19 reasonably foreseeable way.

20 21. At all relevant times, the SUBJECT VEHICLE was equipped with Lane
21 Keeping Assist, which provides automatic steering and braking to keep the
22 SUBJECT VEHICLE within the proper lane. If the SUBJECT VEHICLE moves too
23 close to a recognized road lane marking, such as broken yellow stripes in the center
24 of a roadway, the system warns and redirects the driver with a corrective steering
25 intervention. The VINFAST DEFENDANTS, and DOES ONE through TWENTY,
26 and each of them, determined the criteria under which the Lane Keeping Assist
27 would and would not activate in the SUBJECT VEHICLE, as well as the extent to
28 which said feature would intervene in the operation of the SUBJECT VEHICLE.

1 22. At all relevant times, the SUBJECT VEHICLE was also equipped with
2 Emergency Lane Keeping Assist, which adjusts the vehicle’s direction when it is
3 drifting out of its lane in an emergency situation. The VINFAST DEFENDANTS, and
4 DOES ONE through TWENTY, and each of them, determined the criteria under
5 which the Emergency Lane Keeping Assist would and would not activate.

6 23. On September 10, 2024, the United States National Highway Traffic
7 Safety Administration (“NHTSA”) opened a preliminary investigation into the
8 VINFAST DEFENDANTS after receiving reports that the Lane Keeping Assist
9 system "has difficulty detecting lanes on the roadway, provides improper steering
10 inputs and is difficult to override by the driver." As of December 2024, NHTSA has
11 received 28 complaints about the VinFast VF8. Of these complaints, 9 relate to
12 forward collision avoidance, 14 relate to lane departure, and 10 relate to steering.

13 24. A complaint submitted to NHTSA on June 11, 2024 states that the
14 VinFast VF8’s Lane Keeping Assist feature aggressively jerks the vehicle when it
15 detects a lane departure, a problem that is compounded by the fact that there is no
16 way to permanently disable the feature:

17 On June 7th, I experienced a concerning incident involving
18 the lane-keeping assist feature in my car while driving on
19 Pinehurst Dr. in Aptos. As I was going around a corner just
20 after the elementary school, I had forgotten to turn off the
21 lane assist feature. Since there is no permanent way to
22 disable this feature, when another car approached from the
23 opposite direction, the lane assist system kicked in
24 aggressively. I had slightly drifted too close to the center
25 lane, and the system forcefully jerked the steering wheel to
26 the right. This sudden and aggressive correction nearly
27 caused me to hit a teenager riding a bicycle on the right
28 side of the road. If I had only one hand on the steering
wheel, the lane assist could have easily caused the car to
veer off the road or collide with other vehicles, pedestrians,
or in my case, the bicyclist. Although the manufacturer is
aware of this issue, they do not seem to be giving it due
consideration. The overly aggressive nature of the lane-
keeping assist feature poses a significant safety risk and is
a dangerous flaw in the system. I believe this problem
needs to be addressed urgently to prevent potential

1 accidents and ensure the safety of drivers, passengers, and
2 other road users.¹

3 25. Another NHTSA complaint submitted on April 26, 2024 suggests that
4 the VinFast VF8's Lane Keeping Assist feature does not work in direct sunlight:
5 "Front collision sensors and lane keeping sensor do not work in direct sunlight. For 2
6 hours in the morning and two hours at dusk. Sensors are behind rear view mirror
7 and they do not work when sun is at eye level."²

8 26. Finally, in a NHTSA complaint submitted on August 7, 2024, a driver
9 shared that the VinFast VF8's Lane Keeping Assist feature has nearly caused
10 several accidents:

11 The lane assist feature repeatedly comes on randomly and
12 has almost caused several accidents while I was driving.
13 Specifically, I was driving on the freeway today in moderate
14 traffic and the emergency lane assist warning flashes on
15 and the car begins to jerk the steering wheel. It caused me
16 to try to correct this and almost caused my hitting the car
17 next to me. There are warning lights that repeatedly just
18 come on without there actually being an issue. The roll
19 back feature works randomly and has almost caused me to
20 hit the car behind me. I have had Vinfats out to my house
21 three times already regarding problems with the software,
22 safety issues, and inability for the car to come on at all.³

23 27. In addition to complaints related to the Lane Keeping Assist feature,
24 NHTSA has received several complaints about the VinFast VF8 spontaneously
25 shutting down while driving. For instance, in a complaint submitted on March 20,
26 2024, a driver shared: "Driving 80+ car suddenly loses power . Says electrical system
27 fault and coolant fault. Stranded on freeway in fast lane. Takes 9 resets and 1hr
28 before car goes back to nirmal."⁴ [sic]

In a NHTSA complaint submitted on August 27, 2024,
another driver reported multiple issues with their 2023
VinFast VF8:

1 ¹ <https://www.nhtsa.gov/?nhtsaId=11593599>

2 ² <https://www.nhtsa.gov/?nhtsaId=11585394>

3 ³ <https://www.nhtsa.gov/?nhtsaId=11607139>

4 ⁴ <https://www.nhtsa.gov/?nhtsaId=11578579>

1 I purchased my Vinfast VF8 in March 2023 as one of the
2 first to be delivered. Unfortunately, on the first day of
3 receiving the car, I encountered some issues. The fault
4 sensors went off repeatedly, particularly during a rainy
5 day. The car currently has 9600 miles on it, and it has been
6 driven from San Diego to Irvine around 3-4 times to be
7 serviced for issues associated with the functionality of the
8 VF8, with one of those trips being to a repair facility in San
9 Francisco. Issues that have been addressed include
10 software updates, blank driving screen which occurred on
11 three occasions repaired with a nationwide recall repair,
12 brake repairs, AC replacement, sensor malfunctions, and
13 hood latch issues. Records of these services have been
14 diligently maintained as evidence of the necessary repairs.
15 The next service appointment has been scheduled for
16 September 2024, as it was the earliest available slot when
17 the appointment was made in July. One recurring issue I've
18 experienced is with the lane keep assist, which has been
19 continuously faulty and almost caused several accidents
20 while on the freeway. I brought this issue up to my service
21 technician, who informed me that other Vinfast VF8
22 owners have reported similar problems. While the
23 technician explained that the issue with the system is its
24 sensitivity, I have found it necessary to turn the feature off
25 before I start driving, to avoid close calls. Additionally, the
26 car's front bumper has paint defects on the corners closest
27 to the fenders, on both sides. On two separate occasions,
28 the car turned off while I was driving and displayed sensor
faults. I have documented the last incident with my cell
phone as proof. During that occurrence, it took over 45
minutes to an hour to get the car restarted and I had to call
a tow truck through Vinfast. The vehicle has been serviced
more than expected for a new car with such low mileage,
both in Irvine and San Francisco.⁵

28. Former Tata Technologies engineer Hazar Denli, who lead the
engineering team working on the VinFast VF8's front suspension and chassis, has
sounded the alarm about improperly designed components in the vehicle's chassis
and suspension system. Mr. Denli reported that while running tests on VinFast cars
in February and March 2023, components snapped off the cars on two occasions and
failed on another two occasions. These components failed at around 15,000 miles
when they are normally expected to last for over 90,000 miles. Mr. Denli shared that
the failure of these chassis components creates "a risk that under stress, such as

⁵ <https://www.nhtsa.gov/?nhtsaId=11611052>

1 hitting a pothole at speed, the wheels could become misaligned, causing the car to
2 veer to the left or right without prompting, and the driver could lose control.” (Verity,
3 Andy. “JLR Whistleblower Sacked for Publishing Concerns about VinFast Cars.”
4 BBC News, BBC, 18 Dec. 2024, www.bbc.com/news/articles/c20nr3zdppjo.)

5 29. In the moments before the COLLISION, the back of the SUBJECT
6 VEHICLE began to fishtail. A witness to the COLLISION saw the SUBJECT
7 VEHICLE move to the left before abruptly veering off the road to the right, all in a
8 matter of seconds. The SUBJECT VEHICLE hit a pole, hit a tree, and then burst into
9 flames, causing the deaths of TARUN GEORGE, RINCY GEORGE, ROWAN
10 GEORGE and AARON GEORGE.

11 30. At all relevant times herein, the VINFAST DEFENDANTS, DOES ONE
12 through TWENTY, and each of them, were negligent and careless in their design,
13 manufacture, testing, marketing, sale, and maintenance of the SUBJECT VEHICLE.
14 Said Defendants were further negligent and careless in failing to provide adequate
15 instructions and warnings to protect against injuries occurring as a result of the
16 design, manufacture, testing, marketing, sale, and maintenance of the SUBJECT
17 VEHICLE. Said negligence of the VINFAST DEFENDANTS and DOES ONE
18 through TWENTY was a substantial factor in causing the COLLISION.

19 31. As a direct and legal result of the negligence and carelessness of
20 Defendants, described herein, Plaintiffs herein have been deprived of kind and loving
21 children and grandchildren, and of their love, companionship, comfort, care,
22 assistance, protection, affection, society, moral support, financial support, training,
23 and guidance, all to their general (non-economic) and special (economic) damage in a
24 sum in excess of the minimum jurisdictional limits of this Court. In addition,
25 Plaintiffs have incurred funeral and burial expenses, the exact amounts of which are
26 presently unascertained, but which said amounts will be inserted herein by
27 amendment when the same are finally determined.

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1 38. On and prior to the date and time of the design, manufacture, and sale
2 of the SUBJECT VEHICLE, said vehicle was defective in its design because the
3 benefits of its design were outweighed by the risks the design posed to consumers,
4 such as Decedents TARUN GEORGE, RINCY GEORGE, ROWAN GEORGE and
5 AARON GEORGE. Said risks outweighed said benefits with regard to, among other
6 things, the gravity of the potential harm resulting from use of the SUBJECT
7 VEHICLE, the likelihood of said harm, the feasibility of an alternative safer design
8 at the time of manufacture of the SUBJECT VEHICLE, and the disadvantages of an
9 alternative design.

10 39. The SUBJECT VEHICLE had actual and potential risks, hazards, and
11 dangers, described herein, that were both known to the VINFAST DEFENDANTS,
12 and DOES ONE through TWENTY, and each of them, and knowable to Defendants
13 in light of scientific and industry knowledge at the time of manufacture, distribution,
14 and sale of the SUBJECT VEHICLE.

15 40. The actual and potential risks, hazards, and dangers of the SUBJECT
16 VEHICLE, described herein, presented a substantial risk of injury and death when
17 the SUBJECT VEHICLE was used or misused in an intended or reasonably
18 foreseeable way.

19 41. Ordinary consumers operating vehicles like the SUBJECT VEHICLE
20 would not have recognized the actual and potential risks, hazards, and dangers of the
21 SUBJECT VEHICLE, described herein.

22 42. The VINFAST DEFENDANTS, and DOES ONE through TWENTY, and
23 each of them, failed to adequately warn of the actual and potential risks, hazards,
24 and dangers of the SUBJECT VEHICLE, described herein.

25 43. As a direct and legal result of said defects in manufacturing, design, and
26 warning, Plaintiffs suffered the injuries and damages described herein.

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DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a jury trial.

Dated: April 1, 2026

WALKUP, MELODIA, KELLY & SCHOENBERGER

By:



MICHAEL A. KELLY
SPENCER J. PAHLKE
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Attorneys for Plaintiffs
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