

## VERDICTS & SETTLEMENTS

### "LAW REPORTER, December 1995"

#### **Tire failure: Negligent repair: Defective design: Quadriplegia: Settlements: Verdict.**

*Jerding V. Ford Motor Co., Ill., Cook County, Cir. Ct., No. 90 L 15224, May 12, 1995.*

Peterson, a 22-year-old college student, was a passenger in a 1983 Ford Bronco when the vehicle's left rear tire blew out. The driver lost control, and the vehicle rolled over. Its fiberglass roof detached, and Peterson was ejected. He suffered a spinal injury at C5-6 rendering him a quadriplegic. Peterson needs 24-hour attendant care. His medical expenses totaled about \$340,000 and he expects to incur an additional \$80,000 to 150,000 per year for future medical and attendant care.

Peterson sued Ress Enterprises, a Goodyear Tire center, alleging it had improperly repaired the tire with an outside string plug. Plaintiff presented expert testimony that string plug repairs are dangerous because they (1) allow air to enter the tire carcass, altering the tire's structural integrity and (2) do not necessitate removing the tire from the rim, preventing inspection of the tire for interior damage.

Plaintiff claimed defendant should have repaired the tire using a safer method, such as patching it from the inside.

Plaintiff also sued the distributor of the string plug, alleging it was defective in that it lacked warnings on its pack-aging for proper tire repair procedures. The parties settled before trial for \$850,000.

Suit against Ford Motor Company alleged the Bronco was defective in that its fiberglass roof was not crashworthy. The parties settled for a confidential amount before trial. The jury awarded \$12.7 million.

*Plaintiff's Experts:* Michael Kaplan, accident reconstruction, Littleton, Colo. Edward Karnes, human factors, Morrison, Colo. Stan Runyan, mechanics/tire repair, Milwaukee, Wis.

*Plaintiff's Counsel:* \*Charles A. Boyle, Chicago, Ill. \*John C. Cabaniss, Milwaukee, Wis.

[ Court documents in this case are available through the Offerings section at p. 397, courtesy of Mr. Cabaniss.]