

## CURTIS AND THE EXPLODING TIRE

In a small rural town in Northeast Mississippi, Curtis worked at a service station. He was married with a small child. His job was mostly mounting tires on rims for a local trailer manufacturer. He had little education and worked hard for little pay, but he made enough for he and wife and child to get by, barely. In his years at the station he had mounted thousands of tires.

One day was different. A Japanese manufacturer had decided to get into the rim business (a tire is mounted on a rim) but the size of the rims it manufactured was an odd size. It was a 16 ½" rim. Most rims were 16" or 15" or 17", you get the picture. Another anomaly about the rim was that one couldn't tell the odd size of it just by looking at it. Located in an obscure place on the rim was it's actual size, 16 and ½ inches.

Curtis had mounted 16 inch tires on 16 inch rims all day. Then a new shipment came in from the trailer manufacturer. Nothing seemed unusual, but as Curtis tried to mount the 16" tire, it wouldn't seat properly and to try to get it to seat, Curtis used more and more air pressure, perhaps thinking it was just a new tire that was needed a little extra push.

That little extra push of air resulted in an explosion, not an uncommon happening in that industry, I later found out. The explosive force of the tire and rim blew Curtis back several feet and the rim flew off, putting a large dent in the garage door. But not before it removed nearly half of Curtis's skull.

Curtis's wife, Rhonda, came to me. She had no idea what had happened. Most had blamed Curtis for trying to over-inflate the tire. A good bit of research and investigation finally revealed what had happened. Suit was filed against the Japanese manufacturer. It was discovered that such explosions had happened frequently, but the manufacturer had taken no steps to warn people like Curtis of the danger, nor clearly indicate on the rim that the size was 16 ½" and the danger of trying to mount an unmatched tire on it. The manufacturer, of course, denied everything, but the evidence began to mount. Shortly before trial, the evidence was overwhelming of the manufacturer's negligence.

The case settled just before trial for over \$1Million Dollars.

Curtis died not long after. I went to his funeral in a small country church. Most everyone in the church, his friends and family, had tears in their eyes. As a lawyer, I, of course, could do nothing to save Curtis, but his wife and child were taken care of and that was the legacy Curtis left for them. I have seen Rhonda a few times since then; she had not remarried. The child is now grown, but she and her mother had some financial security as the child grew up.