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## Firestone settles tire suit in Texas

### Paralyzed woman gets \$7.5 million

**By Robert Manor**  
Tribune staff reporter

With a jury still deliberating, Bridgestone/Firestone Inc. agreed to pay \$7.5 million Friday to settle a lawsuit brought by a paralyzed Texas woman and her family, the first case involving the company's allegedly defective tires to go to trial.

Some legal observers say Bridgestone should have settled the lawsuit before trial and avoided more negative publicity about rollover accidents involving Firestone tires and Ford

Explorer sport-utility vehicles.

Dr. Joel Rodriguez and his wife, Marisa, sued in McAllen, Texas, seeking \$1 billion, after the tread peeled off a Firestone Wilderness AT tire mounted on their Ford Explorer last year. The ensuing rollover crash left Marisa Rodriguez in a wheelchair and brain damaged.

Until the Rodriguez case, both Ford and Bridgestone had settled out of court with people injured in rollover crashes. While terms of the settlement weren't disclosed, a source familiar with it Friday confirmed it called for a payment to the Rodriguezes of \$7.5 million.

The amount is important, ob-

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# FIRESTONE: Ford settled case earlier

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servers say, because it could help to set a benchmark for future potential settlements of cases alleging failures of Firestone tires. While Bridgestone may have avoided the risk of a higher jury award resulting from the Rodriguezes' claim, the company also set a precedent by paying a large sum to settle a high-profile lawsuit.

"Obviously they settled because they thought they were risking a worse outcome" from a jury verdict and award, said Alan Sykes, a University of Chicago Law School professor. "It's a business decision that business people have to make."

It remains unclear whether the company will go to trial in the hundreds of other suits still pending against it. Firestone tires, most of them installed on Explorers, have been linked to crashes resulting in at least 203 deaths and 700 serious injuries, according to federal regulators.

Ford has a well-established strategy of settling with plaintiffs injured in Explorers. With the Rodriguez family, Ford paid \$6 million and avoided trial.

By paying \$7.5 million, Bridgestone may have saved some money. Earlier this year the Tribune reported that paralysis cases involving Explorers and Firestone were yielding \$12 million to \$16 million.

Still, some lawyers say Bridgestone damaged itself by going before a jury and then settling while the jury was still pondering the evidence. "It shows the country that Bridgestone was going to lose this case," said Kenneth Moll, a Chicago attorney who represents hundreds of plaintiffs in cases against Bridgestone.

Scott Lassetter, a products liability defense lawyer with Weil, Gotschal & Manges of New York, countered that Bridgestone may find a small advantage in proceeding to trial.

"Bridgestone wins some points for actually showing they would try a case," he said. "They may get some respect in terms of future settlements."

"But you can't ignore the fact that they still didn't go all the way" with the trial, Lassetter said. "They will continue to pay out huge sums of money because the case is already tried in the forum of public opinion."

A Bridgestone spokeswoman said that while the company prefers to reach a settlement, Bridgestone wouldn't rule out future cases going to court.

"We are always open to settling," said Chris Karbowski, the spokeswoman. "We have settled more than 200 of these cases. Last week alone we settled 10 of them. But . . . we are prepared to take a case to trial if a fair and reasonable settlement can't be reached."

The Rodriguez family clearly suffered in the rollover accident. Before the crash, jurors were told, Marisa Rodriguez enjoyed painting and sometimes modeled for local clothing stores. Now, her lawyers say, she



AP photo

Dr. Joel Rodriguez accompanies his wife, Marisa, and their children, Marisa and Joel Jr., to court Friday in McAllen, Texas.

is paralyzed, has an IQ of 79 and is fed through a tube.

"Nothing will ever fully repair the damage that has been done to my wife, my children and my family, but the trial gave this jury, and the rest of the world, the opportunity to see that the actions of Firestone . . . putting profits over the safety of its customers . . . were wrong," Joel Rodriguez said in a statement after the settlement.

Winning back public opinion may be Bridgestone's goal, but

one public relations expert said the trial hurt the firm's image.

"If the ultimate long-term goal is to protect your reputation, it's not worth the risk in this case," said Kim Kumiega, general manager of crisis and issues management for Edelman Worldwide, a public relations firm. She said trials may make sense from a legal perspective, but also serve to make allegations public again and again.

"I can't see any long-term benefit," she said.