

## Jury Awards \$55 Million to Quadriplegic in Tire Blowout

■ An L.A. jury finds defects in the tire, which suffered a tread separation and caused the plaintiff's auto accident.

By Donna Huffaker  
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LOS ANGELES — In the first trial of a tire tread-separation suit since the Ford-Firestone recall, a Superior Court jury has awarded \$55 million to a woman and her family after unanimously finding that a defect in a Continental tire caused a 1996 rollover accident that left the woman paralyzed and confined to a wheelchair.

Calling the tires produced at Continental's Mt. Vernon plant "ticking time bombs on the roadway," Santa Monica attorney Brian J. Panish said Friday's verdict proves the company puts profits over safety.

"Continental General Tire got caught red-handed," said Panish, of Greene, Broillet,

Taylor, Wheeler and Panish, outside the county courthouse.

"They knew the tire was defective, they knew it had contamination in it," he said. "For 12 weeks, the defense claimed there were no defects whatsoever, and the jury resoundingly rejected that."

Attorneys for Continental General Tire vowed to appeal the jury verdict, which found the tire manufacturer liable for a defect in its product. The company has not made the tire, the AmeriTech ST, since 1997.

Jurors in the case, *Lampe v. Continental General Tire*, BC173567, deliberated for eight days before reaching their verdict in favor of Cynthia Lampe and her family.

Following the verdict, Lampe's mother, Sylvia Cortez, hurried from the court to call her husband, Joseph Cortez, with the news. The Cortezes have attended the trial since it began Jan. 25, driving back to their home in Las Vegas on the weekends. Joseph, a professional boxing referee, had to work Friday.

Shaking and red-eyed, Sylvia Cortez repeatedly said, "Thank you."

"These [jurors] were human beings. They saw what happened to our family," she said, noting that her 33-year-old daughter, who suffers from chronic bladder infections, was not well enough to make the trip for the verdict.

Lampe, a former New Jersey resident, injured her spinal cord on June 26, 1996, when the tread on the left rear tire of her Ford Taurus separated as she drove her boyfriend and her mother from Los Angeles to Las Vegas. The blowout caused Lampe to lose control of the Taurus, which slammed into an embankment and rolled over.

Since then, Lampe, a quadriplegic, has moved to Las Vegas so her parents can help take care of her. The former X-ray technician is dependent on others to bathe and dress her.

Walter Yoka, of Yoka & Smith, who represented the North Carolina-based tire company, said Lampe's AmeriTech ST tire had traveled 50,000 miles. During the trial, Yoka argued the

tire had endured some type of roadway impact roughly 200 to 1,500 miles before the accident. That prior impact caused the tire tread to separate, he said.

"The jury found there was no design defect and they awarded no punitive damages," he said. "There were days and days of [plaintiff's] testimony about design defects, but the jury found there was no evidence to support those claims."

In their special verdicts, although the jurors found no design defects, they did find defects in the manufacturing, that the defect existed when the tire left the plant, that defect caused injury to Lampe, that Continental General Tire was negligent in the design in regard to the production and that the tire company's negligence caused injury to Lampe. They did not find the company guilty of malice or oppression, however.

The 10-woman, two-man panel did not find Lampe at fault for the accident.

See TIRE, Page 6