

# WORN TIRES ON RENTAL VEHICLE CAUSE SEVERE INJURY TO VACATIONER

On August 3, 2001, 11 members of two related families flew from a country in South America to a large metropolis in south Florida for a month-long vacation. Among them was a mother of three young children. She was also a college graduate and planned to study in Spain and become a Ph.D. in human genetics.

Shortly after arrival in south Florida, this group rented a 15-passenger van from a well-known car rental dealership. The plan for this family vacation was to see as much of the United States as possible.

After driving north to upstate New York, the group headed west and eventually arrived in Los Angeles, California. After spending some time at Cal Tech, dropping off one of the passengers, the group headed back east on August 26, traveling on I-10 with south Florida as the ultimate destination. The plan was to return the rental van in south Florida and fly back to South America. On August 26, the 15-passenger van was passing a slower vehicle and the driver of the van lost control on the wet pavement (it was raining at the time), hydroplaned sideways, and slid off the roadway into a grassy swale.

## Confidential Settlement

### HYDROPLANING VAN ROLLS OVER CAUSING AMPUTATION

As the van began to hydroplane, the mother of three children became alarmed and released her belt latch and reached over to protect her infant son. When the van spun and rolled onto its left side, the mother's left arm became pinned under the vehicle. She suffered a traumatic degloving/partial amputation of her left upper arm. She was airlifted from the accident scene to a major hospital where the arm was surgically amputated. She remained in the hospital for a period of two months. She then was flown back to South America where she received follow-up care as well as extensive plastic surgery.

Later inspection of the rear tires revealed extensive tread wear which would have enhanced the hydroplaning and the known inherent instability of this type of vehicle.

Chris Searcy and David White were prepared to try this case beginning on January 8, 2007. Shortly before trial, the case settled for a substantial amount of money. ■