

Gas station repeatedly ignored leaking pump despite numerous warnings of danger of explosion

Gas pump exploded causing severe injury to 53-year-old motorcyclist

Gasoline is an extremely dangerous product. Gas station personnel are required to exercise considerable caution and care in delivering their product to the public. In 2013, this responsibility was completely ignored at a gas station in south Florida. Station employees, caring more about selling cigarettes, beer, and lottery tickets than ensuring the safe dispensing of gasoline, ignored numerous warnings of a gas spill. As a result of their irresponsibility, a man was severely burned and nearly killed by an explosion and subsequent fire.

For more than a month prior to this catastrophe, at least 11 customers complained to station employees that there was something seriously wrong. A pump was leaking gas. They told the employees to turn the pump off, hang up an out-of-order sign, and get the pump repaired before it exploded. Station employees ignored the warnings and simply scattered cat litter over the spilled gasoline. On the day of the incident, an off-duty firefighter stopped at the station to fill her car. She noticed the odor, saw the spill on the ground, and told station employees to shut the pump down, warning of a potential explosion. Four more customers stopped at the station, each reporting concerns about the spill. It was clearly visible from inside the station's cashier counter and store. Still, nothing was done to shut the pump down or to clean up the spill. One employee went outside to look at the pump, but did not place red cones around the spill to keep customers from driving through it, nor did he tell the cashier inside to turn the pump off.

Later that day, 53-year-old off-duty police officer John Smith (not his real name) drove his motorcycle into the gas station and through the gas spill. A ball of flames burst up, engulfing John's body. John fell to the ground with his leg trapped under the motorcycle. Terrified that he was going to die, he got up and ran to a nearby grassy area to extinguish the flames by rolling on the ground. Emergency vehicles arrived. The burns were so severe that when John's glove was cut off, the skin on his right hand came off with the glove. Later, he awakened in the burn unit of a hospital, with pain so horrendous that he wished he was dead.

There is a reason that most of the religions of the world equate their versions of hell with fire and burning. It is the most excruciating, intolerable, and unrelenting of all pain and suffering. John suffers horrible scarring on his leg which

continues to cause him pain and cramping. He performs therapy every morning in order to walk normally. If he sits, stands, or lies in bed too long, his pain increases and he must get up, stretch, and do more therapy. He is plagued with disturbing nightmares, reliving the explosion and the pain. He has lost use and strength in his right hand and can no longer fire a gun or perform the defensive tactics required of police officers. He can no longer teach firearms or defensive driving. Because of his disability, John lost his police officer certification, a loss that deeply affects his pride. The son of a police officer, John's entire identity was wrapped around being a police officer.

The gas station's reckless, willful, and wanton behavior can only be explained by the fact that the corporation did not prioritize public safety. It was preoccupied with profit, to the point that its workers, untrained, unsupervised, and uncaring, ignored numerous warnings. John Smith asked SDSBS attorneys **Chris Searcy** and **Karen Terry** to represent him in a corporate liability action against the station. On the eve of trial, plaintiffs were granted the right to assert punitive damages against the gas station. Shortly thereafter, the case was settled for a substantial sum of money which will take care of John Smith for the rest of his life. ♦

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