







# The mom who fought Firestone

When her daughter was killed in an accident involving Firestone tires, Cathy Taylor vowed to make the company pay. In the process, she may have saved thousands of lives

BY KATHRYN CASEY. PHOTOGRAPHS BY MICHAEL O'BRIEN

"Getting those tires off the road is what Jessica would want," says Cathy, at her daughter's grave. "She wouldn't want any other family to go through what we have"

Cathy Taylor's home near the small town of Kirvin, Texas, is filled with memories. Photos of her daughter, Jessica, cover the living-room wall. Cathy, forty-two, picks up one of many porcelain angels sitting on a cabinet below the photos. Tears spill down her cheeks. "Jessica was so beautiful," she says. "Loving and warm. She had the world ahead of her—her first prom, college. She wanted to be a kindergarten teacher. She loved kids."

But on October 16, 1998, the Taylors' world changed forever. That evening, on the way to taking Jessica, fourteen, to a homecoming football game, the tread peeled off a Firestone tire on the family's Ford Explorer. The SUV careened out of control, rolling three times. Jessica was killed.

Angry and grieving, Cathy and her husband, Jim, owner of a small used-car lot, sued Firestone and Ford. But for Cathy, it wasn't about money. "I knew that tire was defective, and I just knew in my heart this wasn't the only accident," she says. "I wanted those tires off the road." *(continued)*



(continued) Late last summer, Firestone and its Japanese parent company, Bridgestone, announced one of the biggest tire recalls in history—6.5 million Radial ATX, ATXII and Wilderness tires, blamed for five hundred injuries and one hundred nineteen deaths in the U.S. Many call the Taylors' lawsuit and Cathy's refusal to settle pivotal to the recall. "People died who didn't have to die," says Congressman Billy Tauzin

(R-Louisiana). "Firestone knew they had serious problems with these tires long before the recall was announced. The Taylor case and a number of others helped highlight the severity of the problem."

Cathy says she had no other choice. "All I wanted was for the deaths to stop." If she'd accepted a settlement from the two companies and signed a confidentiality agreement instead of pushing to get the story out, she says, "I'd be just as responsible as Ford and Firestone."

### A FAMILY'S TRAGEDY

Friday, October 16, was a hectic day for Cathy, a stay-at-home mom. (She had retired from her job as a purchasing agent in the early nineties because of an injury; five years earlier, she and Jim had separated.) After school, Jessica, a cheerleader, had rushed around the house, brimming with excitement over that evening's homecoming football game followed by a party at the family's church.

By four-thirty, Cathy and Jessica were on the road in the Taylors' two-year-old Ford Explorer. With them were Cathy's friend, Tammi Lyn Cook, twenty-eight, and her two children, Sarah Beth, then six, and Travis, then seven. Cathy intended to visit a friend who lived an hour away. Tammi would drop her off, then take Jessica to the game.

"We took my car because it was the newest one," says Cathy. She insists that the SUV had been well maintained. A month earlier, technicians at the local Firestone store had mounted new tires on the front and rotated the existing front tires to the back.

What Cathy didn't know was that ATX tires were already at the center of a controversy. The first lawsuits had popped up on court dockets in 1992, charging that ATX tires on Ford Explorers had, without warning, shed their treads, causing serious accidents. In June 1998, a State Farm Insurance Agency employee notified the National Highway Traffic Safety Administration



"I want those tires recalled," Cathy told her lawyer

(NHTSA) about twenty-one accidents involving Explorers and shedding Firestone tires. The agency never investigated.

"We get five hundred complaints a year about tires, and we'd gotten approximately forty-six about Firestone ATX and Wilderness tires over a period of ten years," says the agency's administrator, Dr. Sue Bailey, who adds that the number wasn't high enough to warrant an investigation. "Firestone knew about two

thousand claims that they did not report to us because they were not obligated to report them."

And so, at just after five that evening, Cathy Taylor waved good-bye to her daughter. "I love you, Mom," Jessica called out.

An hour later, Cathy received an urgent phone call from Tammi, who was in a hospital emergency room.

"Get here!" she cried.

At the ER, Cathy found Tammi pacing. "Where's Jessica?" demanded Cathy. A police officer stepped forward and said, "Mrs. Taylor, we need to talk."

"Don't say that," Cathy cried. "I don't want to hear it."

Jessica, the officer told her, had died at the accident scene from massive head injuries. "No!" screamed Cathy.

Much of the following week remains a blur. Cathy remembers the funeral, and how Jessica's friends put stuffed animals and long, handwritten letters into her casket.

"We dressed Jessica in her cheerleading outfit, and the kids picked out the music," says Cathy, her voice trembling with emotion.

At her daughter's grave, Cathy began to feel an overwhelming anger. I have to do something, she thought. Jessica's death will not be in vain.

### FIGHTING FOR THE TRUTH

Cathy began to suffer bouts of depression. She couldn't stop thinking about the accident. Tammi insisted that she'd been driving the speed limit when she heard a loud pop. The Explorer pulled left and she steered right. But the SUV careened out of control. "It wasn't a normal blowout," Tammi told her.

Fourteen days after Jessica's death, the Taylors hired **Randy Roberts**, an attorney in Tyler, Texas, who specializes in personal-injury cases. **Roberts** found Cathy's Explorer in a junkyard, waiting to be demolished. But the insurance adjuster had kept the suspect tire.

"The fact that the adjuster (continued on page 152)



(continued from page 128) had kept [it] told me he thought something was going on," says Cathy. She explained her suspicions to Jim and Roberts. "I won't even consider a settlement until there's a recall of those tires," she insisted.

That November, Roberts had his first inkling that Cathy might be on to something. At his request, Dick Baumgardner, a consultant who'd worked for Firestone for twenty-seven years, examined the tire and pronounced it defective. "I have more of these tires in my office, all with the same problem," Baumgardner told Roberts.

What made the defect even more dangerous, Baumgardner explained, was that Explorers, like other SUVs, have a high center of gravity and are less stable than cars. "It's a deadly combination," he said. "Even a professional driver would have lost it."

Roberts began posting bulletins in legal journals, asking for information on similar cases. "From that time on, I started getting about one call a week from across the country," he says. "Same tires, same problem."

Meanwhile, Ford was quietly fielding complaints about Firestone Radial ATX tires on Explorers in Venezuela, Colombia and Ecuador. By March 1999—at the same time Roberts filed the Taylors' lawsuit against Firestone and Ford—the tire company had amassed hundreds of complaints about the tires.

Roberts says he included Ford in the lawsuit for a number of reasons, including the company's selection of Firestone ATX tires for the Explorer. "Ford also had a hand in the design of this tire," he says. "And we believe they should have known about the tire's failures and issued a warning well before Jessica died."

That June—as Ford replaced Firestone ATX tires in Saudi Arabia after reports of tread separations tied some of the tires to deaths—Roberts filed his first request that the tire giant supply him with documents concerning all complaints, lawsuits and confidential testimony involving Radial ATX tires. Firestone turned over documents on only one lawsuit.

In late November, the Taylors' case took a dramatic turn. Roberts and the Firestone attorney appeared before the presiding judge, who ruled that Firestone had to turn over all consumer complaints, lawsuits and confidential employee testimony on Firestone Radial ATX tires.

That afternoon, Jim called Cathy with the good news. But "I wasn't getting excited until those tires were off the road," she says.

Cathy began approaching strangers who drove Explorers with Firestone tires. "I told them about the problem with the tires, but they didn't believe me," she says. "I'm sure most of them thought I was crazy."

Last February, Cathy got the opportunity to make her suspicions public. Anna Werner, a reporter from Houston TV station KHOU, came across the Taylor case as well as thirty others involving Explorers and Firestone ATX tires. The Taylors agreed to give her an interview.

That same month, Firestone finally delivered ten thousand documents to Roberts' doorstep. Almost immediately, Roberts sensed a change in Firestone's attitude. The company's attorneys contacted him, asking how much money the Taylors wanted to settle their suit.

But "once we settled, we had to return the documents," says Roberts. "We wanted to get the story out."

As he read through the Firestone files he made a startling discovery: "eleven hundred and ninety-six complaints and fifty-seven lawsuits, all involving those tires," says Roberts. He'd also discovered a pattern with the crashes. Almost all happened on highways in hot weather.

To Jim, the complaints and lawsuits meant that Firestone had to have known that the tires were unsafe. "I felt like someone had murdered my child," he says.

"How dare they do this to people?" asks Cathy. "The anger was overwhelming."

## MAKING A DIFFERENCE

"That's when I first understood what was happening," says Jim. "That people were dying for no good reason."

But there was one problem: Because Firestone claimed the documents contained trade secrets, the judge had restricted Roberts from sharing the documents with anyone else. There was no way he could make his discovery public.

On May 2, 2000, NHTSA finally announced a formal investigation of Radial ATX, ATXII and Wilderness AT tires. Wanting more than ever to expose what Firestone had done, Roberts petitioned the judge to allow him to share the documents with attorneys working on similar cases.

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Cathy decorated Jessica's grave with angels and flowers



The judge agreed. The next day, **Roberts** sent out packets of information across the country. "I couldn't leak the documents to the press, but I knew another attorney might," says **Roberts**. He was right.

NHTSA called **Roberts**, asking for information. On July 28, he turned over copies of the fifty-seven lawsuits to the agency.

Cathy was eating lunch on August 9, when she saw a photo of an Explorer and a shredded Firestone tire on the TV news. "Today, Bridgestone/Firestone has announced a massive recall of 6.5 million Radial ATX, ATXII and Wilderness tires," announced the TV reporter.

Cathy began to cry. "It had been so long in coming," she says. "Part of me couldn't believe it was actually happening."

Weeks after the announcement, the Taylors received a formal notice from Firestone, informing them of the recall. Jim wrote back: "Your letter is too late. . . . My daughter, Jessica LeAnn Taylor, died October 16, 1998, from injuries received from an accident involving your tires. Jessica was fourteen years, twenty-two days old." (Firestone later sent him a sympathy letter.)

As he watched last summer's Congressional hearings on the tire recall, Jim found himself getting angrier at Firestone and Ford. "My daughter would still be alive now if those people had a conscience," he says. "They didn't give a damn about anything but the dollar."

Christine Karbowiak, vice president of public relations for Bridgestone/Firestone says the company acted swiftly to voluntarily recall the tires once they had clear evidence "of the number and severity of the claims. What we're focusing on now is a combination of factors," she adds. In addition to tire failure, Firestone is looking at the possibility that driver error, poor maintenance and the design of the Explorer may have contributed to accidents.

While Firestone questions the role of the Explorer, Ford spokesperson Susan Krusel insists the SUVs are

among the safest vehicles on the road. "The tire involved in the Taylor accident was one with which Firestone has acknowledged having problems. It's included in the recall," she says.

In the wake of the Congressional hearings, President Bill Clinton signed what's known as the TREAD bill. It requires car and auto-equipment manufacturers to report all recalls in other countries to the secretary of transportation and notify the government of claims submitted for injuries and deaths in the U.S. and overseas.

As for the Taylors, their lawsuit against Firestone and Ford is expected to go to trial in spring of this year. "I don't really care about the money. I just want them to pay," says Cathy. "What's so sad is that the only way to make them pay is with money."

"I believe Jessica led me, helped me know what to do and what to say," Cathy adds quietly. "I know that getting the tires off the road is what our daughter would want. She wouldn't want any other family to go through what we have." ■

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#### Are your tires safe?

The Firestone tires included in the August recall are: Firestone P235/75R15 ATX and ATXII tires manufactured since 1991, and P235/75R15 Wilderness AT tires manufactured at Firestone's plant in Decatur, Illinois, since 1996.

While Firestone says its tires currently on the road are safe, the National Highway Traffic Safety Administration (NHTSA) issued a consumer advisory in September that the rate of tread separations on some other Firestone tire models and sizes exceed the rate on the recalled tires. The advisory and a complete list of recalled tires are available at [www.nhtsa.dot.gov](http://www.nhtsa.dot.gov).

What's the best thing consumers can do? Inspect your tires for damage at least once a month and make sure that they are inflated to the manufacturer's specifications.

#### THE ENVY EPIDEMIC

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ago, it would have been enough to be a middle manager with a three-bedroom home and maybe a wide-screen TV. Today, if you're not pulling down a salary near the six-figure mark and vacationing in Tuscany, it's easy to feel that you haven't truly made it. The midpriced car you thought was so fabulous when you bought it two years ago now looks chintzy next to the Range Rover in your neighbor's garage.

"We just built a lovely four-bedroom house, and I thought, Life can't get any better than this," says Giovannello. "Then my husband started pointing out the new homes going up around us that were bigger. Every time you reach a certain level, you realize you want to be a step above."

News of a looming recession, experts say, is making the envy worse. If you haven't already made a killing in the stock market, you might feel that you may never get your Lexus.

Difficult, too, is the feeling that wealth is being arbitrarily meted out. "Today almost anybody can be a millionaire, so people have this feeling of, 'If it can be anyone, why isn't it me?'" says Jessie H. O'Neill, M.A., a licensed therapist, in Milwaukee, and the author of *The Golden Ghetto* (Affluenza Project).

When your neighbors have the toys you're craving, it's hard not to wonder whether you'd be in their position if you'd made different choices. Carri Shipaila, thirty-two, of Wyoming, Michigan, chose at-home motherhood over a career and knows this was the best choice for her. Still, she admits to occasional pangs of envy when she thinks of one of her older brothers, who has a lucrative job in automotive manufacturing.

"He and my sister-in-law have a \$500,000 house," she says. "They and their daughter go to Florida, the Grand Canyon or wherever they want. I think, You know, I could have had that. I wouldn't change my life [to work outside the home] if I could, but my husband works two jobs—as a computer (continued)