



Mechanic Injured in Tire Explosion Settles Hudson Suit for \$2.125M



A mechanic who suffered head trauma when a tire he was inflating exploded accepted \$2.125 million to settle his Hudson County suit, *Cruz v. F&S Tire Corp. Inc.*

The accident occurred on Aug. 1, 2007, at Global Terminal and Container Services in Jersey City. As plaintiff Osvaldo Cruz was pumping air into the tire of a Kalmar forklift, the tire burst and the wheel rim broke apart, hitting him in the head, according to the suit.

The wheels of the lift had been installed by F&S Tire Corp. of Edison, and the suit claimed the wheel rim came apart because it was held together with defective nuts and bolts unsuitable for their intended purpose.

Cruz, represented by **David**

Freeman of Mazie, Slater, Katz & Freeman in Roseland, also sued the lift's manufacturer, Komatsu Forklift USA, claiming it failed to warn users of dangers related to inflating tires.

Cruz, now 60, suffered traumatic brain injury and post-traumatic stress disorder, and is permanently and totally disabled, says the suit.

On Feb. 17, after mediation with retired Superior Court Judge **C. Judson Hamlin**, of Bedminster's **Purcell, Mulcahy, O'Neill & Hawkins**, F&S agreed to pay \$1.9 million and Komatsu \$225,000.

F&S's attorney, **Linton Turner Jr.** of Mayfield, **Turner, O'Mara, Donnelly & McBride** in Cherry Hill, did not return a call.

Komatsu's attorney, **William Ricci** of Lavin, O'Neill, Ricci, Cedrone & DiSipio in Mount Laurel, confirms the settlement.

— **By Charles Toutant**