

JUDGE JOHNSON
JUDGE BLACKBURN
JUDGE SMITH
JUDGE RUFFIN
***** JUDGMENT *****
(02006) DISMISSED 071495

CC
DT
CC
CC

***** C/A CROSS REF *****
CASE UN. TYPE CLASSIFICATION CODE SHORT STYLE
A95A0465 MA NEGLIGENCE/WRONGFUL DEATH 92032 UNIROYAL GOODRICH V. FORD

COURT OF APPEALS OF GEORGIA
433 STATE JUDICIAL BUILDING
ATLANTA, GEORGIA 30334

PAGE NO. 468

***** PREPARED DATE SEPTEMBER 12, 1996 *****
***** C A S E H I S T O R Y R E P O R T *****

CASE NU. A95A0468 DOC DATE: 111494 CODE: 92035 DIV: 1 CITE: 218GA248
STYLE: UNIROYAL GOODRICH TIRE COMPANY ET AL V. CLAUDIA FORD ET AL

(01045) Negligence/Personal Injury XREF: CC SUP-CT:
COST PD: 120594 RECEIPT#: 2713 PAID BY: LOVE & WILLINGHAM (TO:95)
CAL MMY: 0195 ARG. REQ: Y BY: REQUEST TO ARGUE(NT) ARGU:(IND: S DATE: 010395)
ARGU ATTY(NT) 1. WILLINGHAM (EE) 1.
2. INGRAM

***** CERTIORARI DATA *****
NOTICE OF INT.: 081095 NOTICE OF APP.: 082195 SC #: S95G1897 CERT(G/D): G DATE: 012696
SC JUDGE: REMITT DATE:
***** REMITTITUR DATA *****
REMITT DATE: OPINION SENT: C/A CASE STATUS: C

***** LOWER COURT DATA *****
SHORT STYLE: UNIROYAL GOODRICH V. FORD
LC # 91VS0039364
LC JUDGE: HONORABLE GAIL TUSAN JOYNER LC COUNTY: Fulton
LC NAME: State Court CLERK: MR. ROBERT E. COCHRAN, II
JUD DATE: 061094 NOA:062494

RECORD DATE	DESCRIPTION	PARTS
111494	RECORDS	10
111494	TRANSCRIPTS	01

***** PARTY DATA *****

PARTY TYPE: NT	PARTY NAME: UNIROYAL	GOODRICH	MR. ROBERT P. MONYAK
MR. DARYLL LOVE	MR. ALLEN S. WILLINGHAM	LOVE AND WILLINGHAM	LOVE AND WILLINGHAM
1201 W. PEACHTREE STREET, N.E.	1201 W. PEACHTREE STREET, N.E.	SUITE 5050, ONE ATLANTIC C	SUITE 5050, ONE ATLANTIC C
ATLANTA GA 303093400	ATLANTA GA 303093400	ATLANTA GA 303093400	ATLANTA GA 30309
(404)607-0100 (404)607-0100	(404)607-0100 GA 303093400	(404)607-0100 GA 303093400	ATLANTA GA 30309
JUDGE G. CONLEY INGRAM	MR. R. WAYNE THORPE	ALSTON & BIRD	ONE ATLANTIC CENTER
ALSTON & BIRD	ONE ATLANTIC CENTER	ATLANTA GA 30309	ATLANTA GA 30309
ONE ATLANTIC CENTER	ATLANTA GA 303093424	TA GA 30309	TA GA 30309
ATLANTA GA 303093424	(404)881-7000	CLAUDIA	MR. THOMAS ALLAN RICE
(404)881-7000	PARTY TYPE: EE PARTY NAME: FORD	MR. JAMES I. SEIFTER	SMOLAR ROSEMAN, BRANTLEY
MR. YEHUDA SMOLAR	SMOLAR ROSEMAN, BRANTLEY & SEIFTER	SMOLAR ROSEMAN, BRANTLEY & SEIFTER	SMOLAR ROSEMAN, BRANTLEY
SMOLAR ROSEMAN, BRANTLEY & SEIFTER	101 MARIETTA TOWER	101 MARIETTA TOWER	101 MARIETTA TOWER
101 MARIETTA TOWER	ATLANTA GA 30303	ATLANTA GA 30303	ATLANTA GA 30303
ATLANTA GA 30303	(404)525-3900	(404)525-3900 GA 30303	ATLANTA GA 30303
(404)525-3900	PARTY TYPE: OT PARTY NAME: NTW	COMPANY	
PARTY TYPE: OT PARTY NAME: NTW	MR. STEPHEN R. KANE		
MR. STEPHEN R. KANE	HAS BRIDGES, KANE & COBURN		
HAS BRIDGES, KANE & COBURN	2927 PEACHTREE ROAD, N.W.		
2927 PEACHTREE ROAD, N.W.	ATLANTA GA 30305		
ATLANTA GA 30305	(404)233-1222	()	
(404)233-1222	PARTY TYPE: OT PARTY NAME: UNIROYAL	()	
PARTY TYPE: OT PARTY NAME: UNIROYAL	MS. CYNTHIA LYNN COUNTS	GOODRICH	
MS. CYNTHIA LYNN COUNTS	ALSTON & BIRD	MR. JOHN ALVAH GILLELAND	
ALSTON & BIRD	ONE ATLANTIC CENTER	LOVE & WILLINGHAM	
ONE ATLANTIC CENTER	ATLANTA GA 303099993	ONE ATLANTIC CENTER, SUITE 5050	
ATLANTA GA 303099993	(424)881-7000 (404)607-0100	ATLANTA GA 303090000	
(424)881-7000 (404)607-0100	PARTY TYPE: OT PARTY NAME: OTHER	() ATTORNEYS	
PARTY TYPE: OT PARTY NAME: OTHER	MICHAEL J. BOWERS	MR. WILLIAM C. JOY	MR. MICHAEL E. HOBBS
MICHAEL J. BOWERS	ATTORNEY GENERAL	SENIOR ASSISTANT ATTORNEY GENERAL	132 STATE JUDICIAL BUILDING
ATTORNEY GENERAL	40 CAPITOL SQUARE, S.W.	40 CAPITOL SQUARE, S.W.	132 STATE JUDICIAL BUILDING
40 CAPITOL SQUARE, S.W.	ATLANTA GA 303341300	ATLANTA GA 303341300	ATLANTA GA 30334
ATLANTA GA 303341300	(404)656-3334 (404)656-3334	(404)651-9451 GA 303341300	ATLANTA GA 30334
(404)656-3334 (404)656-3334	MR. WILLIAM MIDDLETON DROZE		
MR. WILLIAM MIDDLETON DROZE	ASSISTANT ATTORNEY GENERAL		
ASSISTANT ATTORNEY GENERAL	40 CAPITOL SQUARE, S.W.		
40 CAPITOL SQUARE, S.W.	ATLANTA GA 303341300		
ATLANTA GA 303341300	(404)656-3303		
(404)656-3303	PARTY TYPE: AC PARTY NAME: GEORGIA		
PARTY TYPE: AC PARTY NAME: GEORGIA	MR. ROY E. BARNES	MR. THOMAS W. ELLIOTT	MR. WALTER GUS ELLIOTT II
MR. ROY E. BARNES	BARNES, BROWNING, TANKSLEY & CASURE	ELLIOTT & BLACKBURN	ELLIOTT & BLACKBURN
BARNES, BROWNING, TANKSLEY & CASURE	SUITE 225, LAWYERS BUILDING	FIRST LIBERTY BANK BUILDING	509 NORTH PATTERSON STREET
SUITE 225, LAWYERS BUILDING	MARIETTA GA 300600000	VALDOSTA GA 31601	VALDOSTA GA 316030
MARIETTA GA 300600000	(770)424-1500 (912)242-3333	(912)242-3333 GA 31601	VALDOSTA GA 316030
(770)424-1500 (912)242-3333	PARTY TYPE: AC PARTY NAME: PRODUCT	LIABILITY	
PARTY TYPE: AC PARTY NAME: PRODUCT	MR. RICHARD B. NORTH JR.	MS. LORRE JEANNE GAUDIOSI	
MR. RICHARD B. NORTH JR.	NELSON, MULLINS, RILEY & SCARBOROUGH	NEELY & PLAYER	
NELSON, MULLINS, RILEY & SCARBOROUGH	400 COLONY SQUARE	ONE NINETY ONE PEACHTREE TOWER	
400 COLONY SQUARE	ATLANTA GA 303610000	ATLANTA GA 305030000	
ATLANTA GA 303610000	(000)000-0000 (404)681-2600	()	
(000)000-0000 (404)681-2600	PARTY TYPE: AC PARTY NAME: AMICUS	CURIAE	
PARTY TYPE: AC PARTY NAME: AMICUS	MR. TERRENCE B. ADAMSON		
MR. TERRENCE B. ADAMSON	KAYE, SCHOLER, FIERMAN, HAYES & HAN		
KAYE, SCHOLER, FIERMAN, HAYES & HAN	THE MCPHERSON BUILDING		
THE MCPHERSON BUILDING	WASHINGTON DC 20005		
WASHINGTON DC 20005	()	()	

***** FILING DATA *****

(03010)	REQUEST TO ARGUE(NT)	120594
(03001)	BRIEF OF APPELLANT	120594
(03002)	Enumeration of Error	120594
(03024)	AMICUS CURIAE	120594
(03090)	ATTACHMENTS TO BRIEF	120594
(03003)	Brief of Appellee	120594
(03036)	CORRECTED BRIEF AND/OR PAGES	010395
(03014)	REPLY BRIEF NT	011866
(03006)	Info	011866
(03006)	Info	011866
(03005)	Supplemental Brief/ee	020866
(03014)	REPLY BRIEF NT	021695

(03077) SUPP LETTER CITE (NT) 060995
(03052) &&&*****&& FLAG TO 95*&&*****&&& 071495
(03076) SUPP LETTER CITE (EE) 072695
(03077) SUPP LETTER CITE (NT) 072895
(03076) SUPP LETTER CITE (EE) 073195
(03039) AMENDED NOTICE OF INTENTION 081095
(03018) CERT OF APPLICATION TO SUPREME COURT 082195

***** MOTION DATA *****

(04728) MOTION FOR PROTECTIVE ORDER 111594
(05598) PROTECTIVE ORDER GRANTED 111594
(04024) to exceed 30 pages 111594
(05031) TO EXCEED 30/50 PAGES/GRANT/NT 112184
(04018) to consolidate 111594
(05059) CONSOLIDATED/CHANGED CALENDAR DATE 112184
(04069) AMENDMENT TO MOTION 111594
(04009) Additional time to argue 120594
(05009) ADDITIONAL TIME TO ARGUE/GRANT 122295
(04002) EXT(EE) 121594
(05302) EXT/EE/GRANT/2 DAYS 121594
(04024) to exceed 30 pages 121594
(05032) TO EXCEED 30/50 PAGES/GRANT/EE 121594
(04544) MOTION TO CLARIFY 123184
(05197) MOTION GRANTED 011095
(04597) TO AMEND BRIEF OF APPELLEE 010395
(05339) AMEND BRIEF/GRANT 010695
(04060) EXT. TO FILE REPLY BRIEF (NT) 010695
(05177) EXT TO FILE REPLY/SUPP BRIEF/NT/GRANTED 010695
(04058) TO FILE SUPP BRIEF EE/FILED W/BRIEF 020895
(05283) BRIEFS ACCEPTED AS FILED 020995
(04505) MOTION FOR RECONSIDERATION/EE 072495
(05038) RECONSIDERATION DENIED 073195
(04090) TO RE-ARGUE 072495
(05039) MOTION/S DENIED 073195
(04503) BRIEF IN SUPPORT 072495
(04033) MOTION FOR RECONSIDERATION/NT 072495
(05038) RECONSIDERATION DENIED 073195
(04515) RESPONSE TO MOTION FOR RECONSIDERATION 072795
(05609) SUBSTITUTE PAGE/S 073195

***** JUDGE VOTING *****

CODE	JUDGE NAME	VOTE	VAC	D. VOTE
	CHIEF JUDGE BEASLEY	CJ		
	PRESIDING JUDGE MCMURRAY	DT		
	PRESIDING JUDGE BIRDSONG	CC		
	PRESIDING JUDGE POPE	DT		
	JUDGE ANDREWS	CC		
	JUDGE JOHNSON	CC	V	CS
	JUDGE BLACKBURN	DT		
	JUDGE SMITH	CC	V	CS
	JUDGE RUFFIN	CC	V	CS

***** JUDGMENT *****

(02002) Reversed 071495

***** C/A CROSS REF *****

CASE UN. TYPE CLASSIFICATION CODE SHORT STYLE
A95A0465 MA NEGLIGENCE/WRONGFUL DEATH 92032 UNIROYAL GOODRICH V. FORD

COURT OF APPEALS OF GEORGIA PAGE NO. 469
433 STATE JUDICIAL BUILDING
ATLANTA, GEORGIA 30334

***** PREPARED DATE SEPTEMBER 12, 1996 *****
***** CASE HISTORY REPORT *****

CASE NU. A95A0469 DOC DATE: 111494 CODE: 92036 DIV: 1 CITE: 218GA248
STYLE: UNIROYAL GOODRICH TIRE COMPANY ET AL V. CLAUDIA FORD ET AL

(01045) Negligence/Personal Injury XREF: CC SUP-CT:
COST PD: 120594 RECEIPT#: 2713 PAID BY: LOVE & WILLINGHAM (TO:95)
CAL MYY: 0195 ARG. REQ: Y BY: REQUEST TO ARGUE(NT) ARGU:(IND: S DATE: 010395)
ARGU ATTY(NT) 1. WILLINGHAM (EE) 1.
2. INGRAM 2.

***** CERTIORARI DATA *****

NOTICE OF INT.: 081095 NOTICE OF APP.: 082195 SC #: S95G1897 CERT(G/D): G DATE: 012696

***** REMITTITUR DATA *****

REMITT DATE: OPINION SENT: C/A CASE STATUS: C

***** LOWER COURT DATA *****

SHORT STYLE: UNIROYAL GOODRICH V. FORD
LC # 91VS0039364 LC COUNTY: Fulton
LC JUDGE: HONORABLE GAIL TUSAN JOYNER CLERK: MR. ROBERT E. COCHRAN, II
LC NAME: State Court
JUD DATE: 061094 NOA:062494

RECORD DATE	DESCRIPTION	PARTS
111794	RECORDS	01
111494	TRANSCRIPTS	00

***** PARTY DATA *****

PARTY TYPE: NT PARTY NAME: UNIROYAL GOODRICH
MR. DARYLL LOVE MR. ALLEN S. WILLINGHAM MR. ROBERT P. MONYAK
LOVE & WILLINGHAM LOVE AND WILLINGHAM LOVE AND WILLINGHAM
1201 W PEACHTREE STREET N.E. 1201 W PEACHTREE STREET N.E. SUITE 5050, ONE ATLANTIC C
ATLANTA GA 303093400 ATLANTA GA 303093400 ATLANTA GA 30309
(404)607-0100 (404)607-0100 (404)607-0100 (404)607-0100
JUDGE G. CONLEY INGRAM MR. R. WAYNE THORPE
ALSTON & BIRD ALSTON & BIRD
ONE ATLANTIC CENTER ONE ATLANTIC CENTER
ATLANTA GA 303093424 ATLANTA GA 30309
(404)881-7000 (404)881-7000 ATLANTA GA 30309
PARTY TYPE: EE PARTY NAME: FORD
MR. YEHUDA SMOLAR MR. JAMES I. SEIFTER
SMOLAR, ROSEMAN, BRANTLEY & SEIFTER SMOLAR, ROSEMAN, BRANTLEY & SEIFTER MR. THOMAS ALLAN RICE
101 MARIETTA TOWER 101 MARIETTA TOWER 101 MARIETTA TOWER
ATLANTA GA 30303 ATLANTA GA 30303 ATLANTA GA 30303
(404)525-3900 (404)525-3900 (404)525-3900
PARTY TYPE: OT PARTY NAME: UNIROYAL GOODRICH
MS. CYNTHIA LYNN COUNTS
ALSTON & BIRD
ONE ATLANTIC CENTER
ATLANTA GA 303099993
(404)881-7000 () COMPANY
PARTY TYPE: OT PARTY NAME: NTW
MR. STEPHEN R. KANE
HAAS, BRIDGES, KANE & COBURN
2904 PEACHTREE ROAD, N.W.
ATLANTA GA 30305