

DAILY REPORT

A SMART READ FOR SMART READERS

An ALM Publication

How Hankook Tire Came to Settle 17 Cases From Fatal Church Bus Crash

The settlement resolves five wrongful death and 12 personal injury cases resulting from the crash of a church bus that was headed home to Statesville, North Carolina, in October 2013.

KATHERYN TUCKER

FIVE WRONGFUL death and 12 personal injury cases, plus four years of litigation over a church bus crash, all came down to one 6 a.m. phone call.

Brandon Peak of Butler Wooten & Peak of Atlanta and Columbus was in North Carolina preparing for the third day of jury selection and opening statements in a trial against South Korea-based Hankook Tire Co. when he got a call with a settlement offer that worked.

The moment was bittersweet, Peak recalled in a conversation this week after his firm announced the cases had settled for a confidential amount.

“This was a very, very sad, very tragic case. There was a lot of emotion involved, obviously, for the families,” Peak said. “It was nice to help them try to close one chapter so they could move on with their lives. At the same time, we’d been working on this case for four years.”

Peak said his team had just fought off the second attempt to remove the cases to federal court and was finally about to present the case. “It became clear there was no way out of this jury trial,” he said.

Peak worked on the case with David Rohwedder, Christopher McDaniel and Rory Weeks of Butler Wooten &



Brandon Peak (from left), Rory Weeks, David Rohwedder and Chris McDaniel of Butler Wooten & Peak

Peak, plus Ragan Dudley of Homesley, Gaines, Dudley & Clodfelter of Statesville, North Carolina. Plaintiffs alleged that a defectively designed and manufactured Hankook brand tire on the left front wheel of the church bus failed and caused the crash in October 2013.

The church group was headed home to Statesville, North Carolina, after attending a Christian jubilee in Gatlinburg, Tennessee. When the tire blew, the bus careened across the median of I-40 into the opposite lanes, hitting a tractor-trailer and a Chevrolet Tahoe SUV. The drivers of the church bus and tractor-trailer were killed. One of the passengers in the Tahoe was also killed. News reports at the time showed the tractor-trailer and the SUV destroyed and flattened.

“The bus hit that tractor-trailer so hard, it spun 180 degrees in the opposite direction,” Peak said. “During that process, a bunch of folks were ejected.”

T. Steven Har of DLA Piper in New York, Hankook’s national counsel, emailed the following statement: “Hankook Tire appreciates the amicable resolution of this matter and understands that the settlement is not an acknowledgement of fault. The company sends their heartfelt thoughts to everyone affected by this tragedy.”

The case is Iredell Superior Court Civil Action File No. 14-CVS-01873.

Katheryn Hayes Tucker is an Atlanta-based reporter covering legal news for the Daily Report and other ALM publications.