

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

In re BRIDGESTONE/FIRESTONE, INC. )  
TIRES PRODUCTS LIABILITY LITIGATION, )  
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 )  
 )  
\_\_\_\_\_) )  
THIS DOCUMENT RELATES TO THE ALL ) IP 00-9373-C-B/S  
ACTIONS, ) MDL No. 1373  
 )  
Defendant. )  
 ) (centralized before Hon. Sarah Evans )  
 ) Barker).  
 )  
 )

**ORDER CERTIFYING CLASSES**

Having held the hearing on class certification and having notified the parties that a ruling will issue by the end of the year, the Court rules on Plaintiffs’ Motion for Class Certification at this time in aid of its jurisdiction.<sup>1</sup> The Court GRANTS in part and DENIES in part Plaintiff’s motion. An order setting forth in full the Court’s analysis of the parties’ arguments on this issue will follow shortly. Time for appeal under Federal Rule of Civil Procedure 23(f) will begin to run on the date of the entry of the latter order or, assuming the timely filing of the motion to reconsider, on the date of a ruling on a motion to reconsider our ruling. See Blair v. Equifax Check Services, Inc., 181 F.3d 832, 837 (7<sup>th</sup> Cir. 1999) (“[W]e hold that a motion for reconsideration filed within ten days of ‘an order of a district court

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<sup>1</sup>It has come to our attention that a request is pending before the Circuit Court of Greenville County of South Carolina to certify a class of South Carolina owners of Explorers equipped with Firestone tires which may be ruled upon imminently.

granting or denying class action certification’ defers the time for appeal until after the district judge has disposed of the motion.”). Notice to the class shall be deferred until a the final order on these issues from the Court.

The Court certifies the following classes and sub-class:

**EXPLORER CLASS:**

All current residents of the United States who either (a) owned or leased a 1991 through 2001 model year Ford Explorer as of August 9, 2000 (the “Current Explorer Owner subclass”) or (b) owned or leased a 1991 through 2001 model year Ford Explorer prior to August 9, 2000 (the “Former Explorer Owner classes”).

**Explorer Sub-Class:**

All current residents of the United States who purchased, owned, or leased, at any time from 1990 to the present, Ford Explorers, model years 1991 through 2001, that are or were equipped with Tires (as defined below).

**TIRE CLASS:**

All current residents of the United States who owned or leased at any time from 1990 to the present, vehicles that are or were equipped with Firestone ATX, ATX II, Firehawk ATX, ATX 23 Degree, Widetrack Radial Baja, and Wilderness tires; all tires that are the same as Firestone ATX,

ATX II, Firehawk ATX, ATX 23 Degree, Widetrack Radial Baja, and Wilderness tires but sold by Firestone under other brand names; and all other tires manufactured by Firestone that are the same or are substantially similar<sup>2</sup> to Firestone ATX, ATX II, Firehawk ATX, ATX 23 Degree, Widetrack Radial Baja and Wilderness tires (“Tires”).

The Court denies Plaintiffs’ motion insofar as it asks for certification of a class consisting of “[a]ll current residents of the United States who owned or leased at any time from 1990 to the present, vehicles equipped with Tires that failed, resulting in property damage.”

It is so ORDERED this \_\_\_\_\_ day of November 2001.

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SARAH EVANS BARKER, JUDGE  
United States District Court  
Southern District of Indiana

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<sup>2</sup>This definition incorporates the subclasses in paragraphs 1-6 of Plaintiff’s Class Structure/Class Definition, filed on November 16, 2001.

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