

IN THE COURT OF APPEALS  
AT KNOXVILLE

**FILED**

March 10, 1999

Cecil Crowson, Jr.  
Appellate Court  
Clerk

JERRY HUGHES and )  
NANCY HUGHES )  
 )  
Plaintiffs-Appellants )  
 )  
v. )  
 )  
LUMBERMENS MUTUAL )  
CASUALTY COMPANY, INC. )  
 )  
Intervening Plaintiff ) LOUDON COUNTY  
 ) 03A01-9804-CV-00145  
 )  
v. )  
 )  
BRIDGESTONE/FIRESTONE, INC. )  
 )  
Defendant-Appellee )

OPINION CONCURRING IN PART AND  
DISSENTING IN PART

I concur in the majority opinion as to all of the issues raised save the one addressing punitive damages.

Upon viewing the proof in a light most favorable to the Plaintiffs and indulging all reasonable inferences in their favor, I cannot find--at the time the motion for a directed verdict as to punitive damages was made and sustained--this to be "the most egregious of cases" or that any intentional, fraudulent, malicious or reckless conduct by the Defendant has been shown by clear and convincing evidence. Hodges v. S.C. Toof & Co., 833 S.W.2d 896 (Tenn.1992).

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Houston M. Goddard, P.J.