

Did bike ruin boy's life?

W. Chicago family joins other suing Wal-Mart, bike maker

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Sandy Huber often wonders what would've happened had she taken her son's Next Ultra Shock bike back to Wal-Mart and exchanged it for a new one.

The quick-release lever on the bike's front wheel kept opening, and her son Anthony McCurdy would have to tighten it before each ride.

"It was an imposition, but the bike worked fine," Huber said, adding she never was told what the lever was for or how to use it.

On Sept. 14, 2000, Anthony was riding his bike when the front wheel fell off without warning, his mother says.

He flipped over the handlebars and the bike landed on him. Anthony tried to walk home but had a seizure, fell flat on his face — knocking out his two front teeth — and spent the night in the hospital.

Huber said Anthony, then a 12-year-old sixth-grader, was in the gifted program.

Now 17, he struggles with his classes at West Chicago's Community High School and got kicked out of his driver's education class.

Huber wonders what Anthony would be like if it weren't for the accident. "We've had nothing but problems since then," she said.

The West Chicago family is among nine nationwide suing Arkansas-based Wal-Mart and the bike company, Dynacraft, in California Superior Court.

They accuse the world's largest retailer and the San Rafael, Calif.-based bike supplier of selling and distributing a defective product, not telling consumers how to work the quick-release mechanism and continuing to sell more of the same bikes even though similar accidents were occurring across the country.

The case is set to go to trial Nov. 30.

“The stories are so similar, it’s sort of spooky,” said Mark Webb, a San Francisco-based attorney representing Huber and families from California, Utah, Texas, Oklahoma, Florida, West Virginia, Louisiana and Georgia. “The bike comes to a complete dead stop and throws the rider. Each kid in the case had this happen.”

Webb said Wal-Mart was selling the bikes to children who were too young to understand how the quick-release levers worked.

They allow bike riders to take off the front and rear wheels without tools. It’s a feature meant to save space for storage, transport or to secure a more expensive bike with a U-shaped lock.

Webb said the lawsuit is more than a case of “buyer beware,” claiming the bikes were defective — assembled under lax standards in China and never inspected before Wal-Mart put them on the shelves.

The lawsuit seeks unspecified damages and court costs.

Wal-Mart attorney Martin Heires said in a statement that safety is the “primary concern” for all products.

The front-wheel quick-release feature has been an industry standard for decades, and there’s million of such cycles on the road today.

“The quick-release feature on these bikes has never been shown to be defective, nor has it been the subject of government recalls or safety citations,” Heires said. “We consider these bikes and the quick-release feature to be safe when properly used. Our supplier, Dynacraft, is standing by its product, and we are confident Dynacraft will be exonerated in court.”

A spokeswoman at Dynacraft’s corporate headquarters said she could not comment on ongoing litigation and referred all questions to the firm’s attorney, Bob Dyer. He could not be reached for comment.

Meanwhile, five of the nine families in the lawsuit have told their stories on www.shokbikes.org, which is run by a group of parents called Stop Hurting Our Kids.

The group is circulating petitions to warn consumers of the dangers posed by quick-release levers and some Next Ultra Shock and Shock Zone bikes.

After Anthony’s accident, Dynacraft paid \$5,000 of his medical bills. But an

insurance investigator for Dynacraft ruled the accident the result of rider negligence, a conclusion Huber disputes.

"My son was 12. I don't see how a 12-year-old could be negligent," she said. "They knew these accidents were happening and they didn't disclose it."