

# Elon Musk's Lithium ion batteries get Amazon sued after hoverboard fire destroys \$1M house

USA Today Network Stacey Barchenger, The Tennessean



They're calling it the largest hoverboard seizure ever in the United States. Customs and Border Protection announced on Wednesday that they confiscated 16,000 so-called hoverboards from a suburban Chicago warehouse. Wochit



(Photo: Nashville Fire Department)

NASHVILLE — A Nashville family whose \$1 million home was destroyed earlier this year in a fire caused by a hoverboard toy [is suing Amazon](#) saying the retail giant knowingly sold a dangerous product.

"The Foxes contend that Amazon and its various subsidiaries had information about the danger of this product well in advance of the Jan. 9 fire, and on top of that, they had notice, they should have known the product was being misrepresented on their website," Steve Anderson, of the Nashville law firm Anderson & Reynolds PLC, said.

Anderson represents the six-member Fox family, whose home was destroyed. The father, Brian Fox, rescued two of his children from the second floor of the burning home, according to fire officials and the lawsuit.



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[More than 500,000 hoverboards recalled](#)

"The most horrific thing was obviously the episode that day and trying to rescue these two teenagers, and the profound impact on them," Anderson said. "It's also important to consider that literally in a matter of few minutes every single personal possession of this entire family was destroyed. The only things that remained were their vehicles and handful of books and pictures they were able to find that had water damage they were able to dry out. In the blink of an eye it was all gone."

The lawsuit says the seller of the hoverboard listed online, "W-Deals," is a sham organization that is registered to an apartment in New York City that has not responded to requests from lawyers in the case. It alleges the family was sold a counterfeit product from China instead of a brand with a Samsung lithium ion battery they believed they were buying from Amazon.

It says Tennessee product liability law holds a seller responsible if the manufacturer cannot be found.



A Jan. 9 fire caused by a hoverboard destroyed this Radcliff Drive home in Nashville. (Photo: Nashville Fire Department)

"We've spent months investigating it and to this day I don't know who manufactured this product, and it doesn't appear that Amazon does," Anderson said. He said Amazon charged and shipped the hoverboard.

The lawsuit names 10 defendants, including Amazon and retailers on its sites, and says they are responsible. A representative of Amazon said the company does not comment on pending cases.



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The lawsuit seeks \$30 million in damages and asks a jury to weigh additional financial penalties against the retailer. Nashville Fire Department officials said a hoverboard caught fire on Jan. 9, destroying a 4,000-square-foot \$1 million home on Radcliff Drive, near Edwin Warner Park.

In addition to costly losses of all of the family's possessions, the lawsuit says the family should be compensated for physical injuries and emotional distress.



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Security footage inside an Illinois home shows a room engulfed in flames after the owner says a hoverboard exploded. (Feb. 26) AP

Hoverboards, a popular Christmas gift in 2015, are now largely known for mechanical issues like overheating and causing blazes or explosions. Amazon later banned the sale of some hoverboards citing safety concerns.

The lawsuit was filed late Wednesday in Davidson County Circuit Court.

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