



Judge gives jet car owner green light to sue museum

By Robert Channick Chicago Tribune

It's full speed ahead for a lawsuit filed against the Museum of Science and Industry for allegedly damaging a record-setting jet car on display for 50 years.

A Chicago federal judge last week ruled that Craig Breedlove can move forward with his claim that the museum caused more than \$395,000 in damage to his historic Spirit of America car.

The museum previously succeeded in getting claims of negligence and breach of fiduciary duty dismissed, but the court left the door open for Breedlove to take a second crack at it.

Breedlove's amended complaint, filed in October, included supporting documents on standards and best practices from the American Association of Museums, of which the Museum of Science and Industry is a member.

Steven Young, a Los Angeles-based attorney representing Breedlove, said Monday that the AAM standards “made clearer to the court” that the museum was negligent in its handling of the vehicle. “They didn't live up to museum standards,” Young said.

Breedlove sent his jet car to the museum in 1965 after breaking land speed records and the 500-mph barrier. The car was returned to him in 2015 with graffiti, a rewelded frame and a missing seat, among other damage, according to the lawsuit.

In his ruling, Judge Ronald Guzman cited a section from the AAM standards on

stewardship:

“Stewardship is the careful, sound and responsible management of that which is entrusted to a museum's care. Possession of collections incurs legal, social and ethical obligations to provide proper physical storage, management and care for the collections and associated documentation, as well as proper intellectual control.”

Guzman's ruling also rejected the position that the AAM, now known as the American Alliance of Museums, had not yet produced its standards in writing at the time the museum took possession of the jet car.

A spokesman for the AAM, which was founded in 1906, said Monday that stewardship standards existed prior to publishing its manual in 2008. The Museum of Science and Industry has been accredited by the AAM since 1975.

“The museum takes its responsibility to care for items in its collection very seriously,” Museum of Science and Industry spokeswoman Renee Mailhiot said in an email Monday. “We are not able to comment further on pending litigation.”

The lawsuit, originally filed in June, seeks for the museum to pick up the hefty repair bill.

Breedlove, now 79, designed, built and piloted the world's fastest car while still in his early 20s. In 1963 he took it to the Bonneville Salt Flats in Utah and became the first to cross the 400-mph threshold. The following year he set a new record, clocking in with a speed of more than 526 mph before crashing into a saltwater pool far beyond the course. It was the last time he drove the car.

In 1965, Breedlove lent his jet car to the museum, entering into an “oral agreement” that the car would be returned to him in the event it was pulled from display, according to the lawsuit.

Fifty years later, the museum notified Breedlove in writing that it intended to return

the car. It arrived at his Rio Vista, Calif., home in October 2015, but in far less than the “mint condition” stated in the museum's letter, according to the lawsuit.

Damage included exterior panels that no longer fit, stretched intake duct mountings for the jet engine and graffiti where schoolchildren carved their initials in the aluminum finish, the lawsuit said.

The car was taken to a professional restoration shop, which estimated repair costs at \$395,000.

The museum and Breedlove have a settlement meeting set before the judge Jan. 23.

“If it doesn't (settle), we will go forward ... and ultimately, we will see the museum in court,” Young said.

rchannick@chicagotribune.com

Twitter @RobertChannick

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