

GOODYEAR TIRE & RUBBER CO /OH/
Form 8-K
January 03, 2005

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report (Date of Earliest Event Reported):

December 28, 2004

The Goodyear Tire & Rubber Company

(Exact name of registrant as specified in its charter)

Ohio

1-1927

34-0253240

(State or other jurisdiction
of incorporation)

(Commission
File Number)

(I.R.S. Employer
Identification No.)

1144 East Market Street, Akron, Ohio

44316-0001

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code:

330-796-2121

Not Applicable

Former name or former address, if changed since last report

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

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Item 8.01. Other Events.

The Goodyear Tire & Rubber Company ("Goodyear") has reached agreement effective December 28, 2004, with certain insurance companies to settle Goodyear's claims for insurance coverage for environmental property damage and, in certain instances, environmental bodily injury, involved in an action previously filed by Goodyear in Summit County, Ohio. While many of the specific terms of the settlement are confidential, it generally provides for the payment to Goodyear, in installments over 15 months, of approximately \$159 million, in exchange for the release by Goodyear of past, present, and future environmental property damage claims against the settling insurers under their policies. In addition, the settlement provides (1) in certain instances, for the resolution of insurance claims by Goodyear for future costs related to environmental bodily injury, and (2) for Goodyear's indemnification of the settling insurers against certain claims by other parties.

Certain information contained in this Current Report on Form 8-K may constitute forward-looking statements for purposes of the safe harbor provisions of The Private Securities Litigation Reform Act of 1995. Actual results may differ materially from those indicated by such forward-looking statements as a result of various factors, including the timely receipt of the funds obtained in the settlement, as well as the factors discussed in the company's filings with the Securities and Exchange Commission, including its Form 10-K for the year ended Dec. 31, 2003 and Form 10-Q for the quarter ended Sept. 30, 2004. In addition, any forward-looking statements represent our estimates only as of today and should not be relied upon as representing our estimates as of any subsequent date. While we may elect to update forward-looking statements at some point in the future, we specifically disclaim any obligation to do so, even if our estimates change.

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SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

January 3, 2005

The Goodyear Tire & Rubber Company

By: *C. Thomas Harvie*

Name: C. Thomas Harvie

Title: Senior Vice President, General Counsel and Secretary