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Know Your Limits

presented by SCS Agency Inc

Your Monthly Wrap-up of **Mid-market Business Losses**

Environmental Liability

FEDERAL JURY AWARDS \$135.5 MILLION TO COUPLE FOR PROPERTY DAMAGE

A Georgia couple won a \$135.5 million federal jury verdict for property damage caused by a Tennessee-based solar company and its contractor. The contractor cleared and mass-graded around 1,000 acres of land without proper sediment and erosion control, resulting in pollution and damage to the couple's land, wetlands, streams and lake. The court found the nuisance continued unabated for approximately two years. The jurors awarded the couple \$10.5 million in compensatory damages and imposed \$125 million in punitive damages against the solar company, contractor and its subsidiary. The solar company plans to appeal the verdict.

Product Liability

PFAS LAWSUIT SETTLED FOR \$1.185 BILLION

Three chemical companies agreed to a proposed \$1.185 billion settlement in a nationwide class-action lawsuit involving around 300 communities. The suit addressed perfluoroalkyl and polyfluoroalkyl substances (PFAS) in firefighting foam contaminating drinking water and requiring the installation of treatment systems to remove it. The affected cities filed a lawsuit to recoup their costs for these systems. PFAS, known as forever chemicals since they don't break down in the environment, are linked to cancers and other health issues. If approved, the companies will be responsible for payments of \$592 million, \$400 million and \$193 million, respectively. The companies have previously denied the claims and will defend their safety and environmental record.

Liability

SCHOOL DISTRICT TO PAY \$9.5 MILLION TO SETTLE SEXUAL ABUSE CLAIMS FROM THREE FORMER STUDENTS

A Washington school district agreed to pay \$9.5 million to settle the legal claims brought by three former students against a volunteer wrestling coach. The individuals filed the suit in 2021 and alleged that the coach sexually abused them multiple times during the mid-2000s while they participated in an off-campus weightlifting and conditioning program. The suit accused the school district of negligence in its hiring of the coach, who had been previously convicted of indecent liberties involving children. The school district had also recently agreed to pay a \$4.2 million settlement from six different students who had accused the coach of sexual abuse.

Employment Practices Liability

JURY AWARDS \$2 MILLION TO DEAF WORKER DUE TO HARASSMENT

A deaf employee in California was awarded \$2 million dollars for back pay and emotional distress due to a lack of proper accommodations and mistreatment by managers at a package delivery company. According to the lawsuit, the managers mocked, yelled and spit on the employee. The suit also stated the company neglected safety measures and refused regular sign language interpretation. Additionally, the lawsuit alleged the employee's complaints to HR were disregarded, leading to disciplinary action and potential termination. The company disagreed with the verdict and is considering appealing.