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# Know Your Limits

presented by Winters-Oliver Insurance Agency

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

Auto Liability

## JURY AWARDS \$44 MILLION FOLLOWING SEMITRACTOR TRAILER CRASH

An Indiana jury returned a \$44 million verdict after a passenger was left paralyzed following an accident with a semitractor trailer. According to the plaintiff's attorneys, the individual's car was at a stoplight when a semitractor trailer driving for Illinois-based trucking companies rear-ended it. The trucking companies admitted negligence but denied the extent of the injuries and damages, according to the plaintiff's attorney.

Liability

## SCHOOL BULLYING CASE SETTLES FOR \$9.1 MILLION

A New Jersey school district and the family of a middle schooler who died by suicide after being bullied reached a \$9.1 million settlement. The student's parents said the student was the victim of relentless bullying from classmates, and pleas to school authorities to intervene were ignored. According to the family's attorney, the settlement was the largest in a bullying case in the state. The student's death also led to a new New Jersey law that imposes requirements on schools to report and act on complaints of bullying.

Liability

## JURY RETURNS \$11 MILLION VERDICT AFTER TENANT DEATH

A Missouri jury reached an \$11 million verdict against a building's property owners and their company for failing to maintain city safety codes, which led to the death of a tenant. According to the medical examiner, the individual died from smoke and soot inhalation following a fire at the rental home. The lawsuit stated the defendant failed to follow city safety codes regarding faulty wiring and not having smoke detectors in the house, which only had one upstairs exit point. The defense contested the cause of the fire and whether a smoke alarm would have made a difference. The award included \$3 million in compensatory damages and \$8 million for aggravating circumstances.

Product Liability

## SELLER AND DISTRIBUTOR OF NONAPPROVED SUPPLEMENT ORDERED TO PAY \$11.6 MILLION FOLLOWING DEATH

A district court judge for the Southern District of Florida issued a default judgment award of \$11.6 million to the family of a woman who died after ingesting *Mitragyna speciosa*, also known as kratom, a supplement that has not been approved by the U.S. Food and Drug Administration (FDA). The award consisted of \$7 million in noneconomic damages and \$4.6 million in economic damages. The complaint stated the defendants packaged, shipped and distributed kratom and profited from its importation, distribution, marketing and sale. According to the county coroner, the woman died from acute mitragynine intoxication, noting that mitragynine can produce respiratory failure at high concentrations. Additionally, the FDA has stated that kratom carries risks of serious adverse events such as liver toxicity, seizures and substance abuse disorder.

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