

# Know Your Limits

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## Firearm Manufacturer to Pay \$11 Million After Holstered Gun Discharges by Itself— Product Liability

the stairs. The discharge occurred while the gun was in his pocket, causing permanent leg injuries, according to court documents. The plaintiff's lawyers alleged that the P320 pistol had a defect that made it prone to firing without the trigger being pulled, which has led to several injuries across the country. The lawsuit, filed in 2022, cited dozens of unintended discharges involving the gun and claimed the model was the "most dangerous pistol for its users sold in the United States market." The plaintiff's lawyers also noted that the military version of the pistol has an external safety, but the model sold to police departments and civilians lacks this feature. A federal jury awarded \$2.35 million to a Georgia man in 2024 after he was wounded following a holstered discharge of the same model. The gun manufacturer, which has previously settled at least one federal class-action lawsuit involving the model, plans to appeal.

## Jury Awards Man \$42 Million After Collision With Garbage Truck—Auto Liability

A Georgia man received a \$42 million jury award after he was struck by a garbage truck while motorcycling. The 2021 accident resulted in the amputation of his lower left leg and his left arm being locked into place permanently. The man also lost vision in one eye, broke multiple bones and suffered a traumatic brain injury. The plaintiff's attorney said the garbage truck hit the man after it pulled out in front of him. The attorney also noted that the man is an experienced motorcyclist. The defendant in the two-week trial was a Canadian company that owned the garbage truck.

## Company Settles Longstanding Shareholder Lawsuit for \$362.5 Million—D&O Liability

A large U.S. company reached a \$362.5 million settlement in a shareholder lawsuit that alleged the company and its former chief financial officer (CFO) misrepresented risks related to a unit of its organization. The lawsuit, initiated in 2017 and led by two major pension funds, claimed the company relied heavily on factoring (the sale of future revenue for instant cash) to inflate financial results from long-term service agreements. The plaintiffs alleged this concealed underlying financial vulnerabilities and presented cash flow risks. The lawsuit claimed the company and its CFO did not adequately disclose these risks, which later caused a sudden and significant decline in the organization's stock price. The settlement, which awaits approval from a U.S. District judge, coincided with the business's corporate restructuring and was in addition to a \$200 million settlement (2020) with the

## Man Awarded Over \$412 Million in Misdiagnosis and Improper Treatment Case — Medical Malpractice

A New Mexico jury awarded a man more than \$412 million after he alleged he was misdiagnosed and unnecessarily treated with erectile dysfunction shots that caused irreversible damage. The complaint stated the man visited the clinic in 2017 looking for treatment for fatigue and weight loss. A plaintiff's attorney also claimed the clinic set up a fraudulent scheme by having its workers tell older male patients that they would have irreversible damage if they did not get the injections three times a week. Court records noted the jury found that the defendants, a medical clinic that operates in multiple states and its officials, engaged in fraudulent and negligent conduct, resulting in the plaintiff's damages. The jury also determined the defendants engaged in "unconscionable conduct," violating the Unfair Practices Act. The plaintiff's attorneys said the punitive and compensatory damages total was the largest jury award in a U.S. medical malpractice case.