

Know Your Limits

April 2025

Auto Company to Pay \$2.5 Billion After Fatal Rollover—Product Liability

A Georgia federal jury has ordered an American auto company to pay \$2.5 billion to the family of a couple who died when their “Super Duty” truck rolled over in 2022. When the driver had a cardiac event, the truck struck a driveway drainage culvert and went airborne before flipping over. According to the plaintiff’s attorney, the roof of the truck catastrophically collapsed from only a half roll. The attorneys alleged that the roofs of the trucks were indisputably weak compared to other models. They also claimed the auto company had known about this risk for 26 years but refused to admit the hazard existed or provide warnings about its risks. The jury determined that the automaker was mostly at fault in the couple’s deaths, which occurred only days after a separate Georgia jury issued a \$1.7 billion verdict against the same auto company in a different case involving a truck rollover. The award comprised \$30.5 million in compensatory damages and \$2.5 billion in punitive damages.

Health Insurers Agree to Pay \$11.25 Million After Government Alleges Cybersecurity Shortcomings—Cyber

A Missouri-based health insurance company and its California-based subsidiary have agreed to pay \$11.25 million to settle allegations that the subsidiary did not comply with cybersecurity requirements while managing the health insurance program for servicemembers and their families. The subsidiary allegedly failed to remedy cybersecurity issues in its systems or check for known vulnerabilities and ignored internal and third-party auditors’ reports of cybersecurity risks. The government also alleged that between 2015 and 2018, the subsidiary falsely certified its compliance with cybersecurity requirements mandated by the governmental contract when it submitted its annual reports. The subsidiary noted that no data breach or loss of members’ health information occurred.

Jury Awards Over \$24 to Family of Woman Killed by Falling Tree Limb—Liability

A California city has been ordered to pay \$24.2 million in damages to the family of a woman who was killed when a city park tree limb fell on her in 2021. The lawsuit originally named an arborist company as a defendant, but the business was dropped before the judgment was rendered, and the city accepted responsibility for the incident. Although authorities have not stated what caused the tree limb to fall, the National Weather Service (NWS) had advised that gusty winds would be present on the day of the accident. The NWS had also stated that many trees had been weakened by intense storms earlier in the year. In response to the incident, the city has taken steps to improve its tree care and stated it will continue to share safety tips during inclement weather.

Tenants Receive Over \$6.6 Million in Toxic Mold Case—Liability

A Nevada jury awarded over \$6.6 million to three former apartment complex tenants after finding a California-based property manager liable for negligence, gross negligence, breach of the implied warranty of habitability and intentional infliction of emotional distress. The verdict came after a mother and her two kids claimed the conditions of their apartment, including unfixed leaks that led to the growth of toxic mold in the unit, led to or exacerbated health issues. According to news reports, the family had lived in the apartment for three months in 2019 when the apartment’s ceiling collapsed on the mother. One of the children subsequently had an asthma attack and was sent to the hospital. Court records and news reports stated that throughout the five years before the plaintiffs moved to the apartment, the property manager had received 11 complaints about ceiling and roof leaks and 25 complaints regarding water leaks and mold. The final award amount was a combined award for the three plaintiffs for past and future suffering, punitive damages and prejudgment interest. The property management company plans to appeal.