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Editor's Choice: Jury Awards Edition

Friday, November 4, 2011 by Martha Burns - Lawyers.com

These news items are straight from the courtroom.

- **[Motrin drug makers hit with \\$48.2 million verdict for bad labeling.](#)** California jurors delivered a \$48.2 million verdict against the makers of Motrin, an over-the-counter pain reliever, for failing to warn consumers about a dangerous side effect.



Christopher Trejo sued Johnson & Johnson and its subsidiary McNeil Consumer Healthcare for injuries he suffered from taking Motrin at age 16. A few days after taking the drug as directed on the label, Trejo woke with red eyes and mouth blisters. His condition quickly developed into Stevens Johnson Syndrome (SJS) and Toxic Epidermal Necrolysis (TEN), also known as SJS/TENS.

SJS/TENS is a life-threatening reaction that caused Trejo's skin to blister from the inside-out. He spent almost a month in intensive care and suffered scarring across his body, a brain injury and damage to his internal organs. Trejo's lawyers argued that if the Motrin label had properly warned consumers about the risk of developing SJS/TENS, Trejo would have gotten medical help much sooner and averted much of the damage.

Jurors agreed the Motrin labeling should have been changed years earlier to warn consumers about the risks of developing TEN/SJS. They awarded Trejo \$48.192 million, which included \$15 million in punitive damages.

Learn more about [drug recalls](#) and [drug litigation](#). Discuss your drug injury concerns with a [Personal Injury attorney](#) in your area.

- **[Paraplegic awarded \\$7.6 million against university hospital for misread MRI.](#)** A jury awarded a California woman \$7.6 million against UC Davis Medical Center for failing to spot an abnormality on her MRI.

D'Knawn Hairston visited the medical center in 2003 when she experienced numbness in her legs. She was told by a doctor there that her MRI appeared normal. But when Hairston experienced the same numbness and visited another hospital in 2008, she was told she had a spine malformation. Despite having surgery, the condition left her paralyzed below her chest.

Suing for a medical mistake isn't just about the money. It can also help prevent the same mistake from happening to other patients. Learn more about [medical malpractice](#) and [hospital lawsuits](#).

- **[Woman hit by keypad wins record \\$2.85 million verdict against hospital.](#)** A New York jury awarded Kathryn Brethour and her husband \$2.85 million for injuries she suffered in an accident at Alice Hyde Medical Center. While undergoing a routine barium swallow, a data entry keypad fell from some X-ray equipment and struck Brethour in the head. The jury found that Brethour suffered permanent brain damage as a result of the hospital's negligence in causing the accident.

Brethour's attorneys say the \$2.85 million verdict is the largest amount ever awarded in a personal injury case in Franklin County. The verdict included \$1.8 million to pay Brethour's future medical expenses and \$1 million for the couple's pain and suffering and loss of earnings.

Collecting an award to cover future medical costs is important in a [traumatic brain injury](#) case because victims often require lifelong medical care. Read more about [medical malpractice](#), [personal injury](#) and the types of [damages](#), or compensation, awarded in those cases.

- **[Ford not to blame for fiery crash; Illinois Supreme Court reverses \\$43 million verdict against carmaker.](#)** Dora and John Jablonski's 1993 Lincoln Town Car was rear-ended by a car going about 65 miles per hour when the couple stopped for construction on an Illinois highway. The impact caused a large wrench in the Jablonski's trunk to bust through the trunk wall and puncture the Town Car's fuel tank. The car burst into flames, killing John and severely burning Dora.

The couple's family filed a product liability lawsuit against Ford Motor Co. to recover for the accident. They argued that placing the fuel tank behind the axle was a defective design and Ford should have warned consumers about the risk of trunk contents puncturing the fuel tank. A jury sided with the family and awarded them \$43 million, which included \$15 million in punitive damages.

The jury's verdict was thrown out by the Illinois Supreme Court on appeal. The Court said there wasn't enough evidence to prove Ford didn't take reasonable care in designing the car. Also, Illinois law didn't require the company to warn about defects not found before the product left the manufacturer.

- ["Taliban Toyota" slander costs car dealership \\$7.5 million](#). Watch what you say about your competitors. An Alabama jury awarded a \$7.5 million judgment against a car dealership for bad-mouthing its rival.

Toyota dealer Shawn Esfahani, who was born in Iran and is now a US citizen, sued a competing dealership, Tyler Toyota, for falsely telling customers Esfahani was a terrorist. He said Tyler Toyota employees called his business "Taliban Toyota" and told car buyers he was funneling money to insurgents in the Mideast. The jury decided Tyler Toyota was responsible for the slander and it awarded Esfahani \$2.5 million in compensatory damages and \$5 million in punitive damages.

Think before you speak or post comments online. What you say about a business can cost big money in a defamation lawsuit. Read more about [libel and slander](#), [email defamation](#) and the recent surge in [defamation legal actions](#).

Find out more about [personal injury](#), [products liability](#) and [wrongful death](#) lawsuits. Talk to a [lawyer](#) about your case.

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