

Know Your Limits

presented by **Venbrook Insurance Services**

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

August 2021

Judge Awards Initial \$150 Million for Victims of Florida Condo Collapse

Liability

Following the June collapse of a 12-story oceanfront condominium, a Florida judge has granted victims and families who suffered losses a minimum of \$150 million in shared compensation. This ruling includes \$50 million from insurance on the Champlain Towers South building and the expected \$100 million proceeds from the sale of the site. The \$150 million does not account for the many other lawsuits already filed, which are being consolidated into a single class-action suit.

New Jersey Company To Pay \$150,000 To Settle EEOC Disability Lawsuit

Employment Practices Liability

After firing a recovering opioid addict, a New Jersey-based pharmaceutical and medicine manufacturing company must pay \$150,000 to settle a resulting disability discrimination lawsuit. The lawsuit was brought on by the U.S. Equal Employment Opportunity Commission (EEOC). The company allegedly violated Title I of the Americans with Disabilities Act by terminating an employee who tested positive for a legally controlled substance. The lawsuit also alleges that even after the company learned that the employee was participating in a medication-assisted treatment program, he was forced into counseling with a clinical psychologist and his return to work became contingent on discontinued use of the legally prescribed medication.

Delaware Companies Agree to \$50 Million PFAS Settlement

Environmental Liability

Delaware-based companies DuPont, Chemours and Corveta have agreed to pay the state \$50 million in connection with contaminating the environment with per- and polyfluoroalkyl substances (PFAS). The Delaware Department of Natural Resources and Environmental Control will use the settlement proceeds for a variety of natural resource needs, including environmental restoration, improvement, sampling and analysis, community environmental justice and equity grants.

\$27 Million Verdict in Wrongful Death Suit

Wrongful Death

Sunrise Tire and Lube Service Inc., a California service shop, must pay \$27 million after tires that the company worked on detached from a tractor-trailer and killed a woman in New Mexico. The victim, from Pennsylvania, was struck by one of two detached tires while on a cross-country motorcycle trip with her husband. The collision pushed her to the outside lane, where she hit a tractor-trailer. A jury awarded the plaintiffs \$17 million in compensatory damages and \$10 million in punitive damages after attorneys for Sunrise failed to appear at trial.