TRAVELERS

The rising cost of litigation risk

Verdict sizes are trending upward, with some exceeding $100 million. The impact can be costly, causing lasting financial and reputational harm. Travelers helps businesses prepare for evolving liability challenges with excess casualty coverage, expert defense strategies and risk management services that help prevent losses.

Here are some of the more notable large-scale losses featured in the National Law Journal's Top 100 Verdicts of recent years.

Motor Vehicle

Negligent Backup Results in Fatal Accident – *California*, $55.3M

A 30-year-old man was killed when a tractor trailer backed into him at a warehouse loading dock. The victim's family sued the driver and his employer, arguing that the driver was negligent in backing up without confirming the spotter's location. The jury found the defendants 95% liable and awarded nearly $58.3 million to the man's family. This amount was reduced to $55.3 million after the spotter was found 5% comparatively negligent.

Trucker Loses Control on Wet Roadway – *New Jersey*, $55M

After a minor collision, a 22-year-old woman was standing near a highway guardrail when an 18-wheeler jackknifed on wet pavement and struck her. The woman underwent 15 surgeries and remains permanently disabled. She sued the truck driver and his employers for negligence, arguing that he was driving too fast in rainy conditions. The jury awarded the woman $55 million.

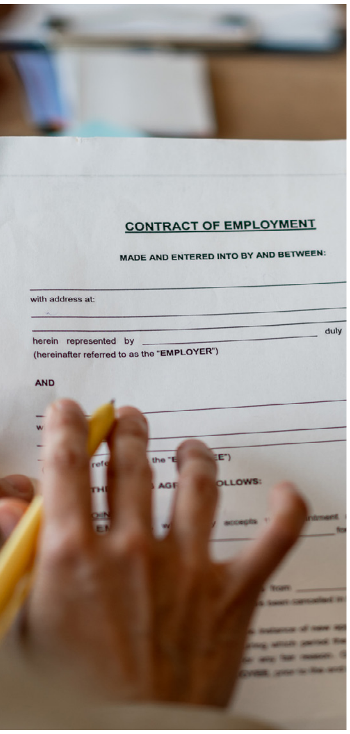
- Trucking Company Liable for Fatal Crash – *Michigan*, $83.9M
- Employer Liable in Fatal Head-On Collision – *Florida*, $53.7M

Premises Liability

Apartment Owner and Contractors Found Negligent in Boiler Leak – *Texas*, $51.1M

A mother and her two young children were awarded $51.1 million after suffering carbon monoxide poisoning in their apartment. The leak came from an improperly maintained boiler. The plaintiffs argued that the apartment complex owner, property manager and plumbing contractors failed to hire competent workers to complete the boiler repairs and warn residents about carbon monoxide exposure. Both children were left with brain injuries and lasting cognitive and developmental effects. The jury found the defendants negligent, assigning the majority of fault to the apartment owner and manager.

- Major Drugstore Chain Was Aware of Criminal Activity on Premises – *Georgia*, $45M
- Defective Building Led to Woman's Paralysis – *New York*, $37M



Worker/Workplace Negligence

Crash Exposes Negligent Hiring Practices – *Florida,* $141.5M

A jury awarded over $141.5 million to three people injured in a rear-end crash caused by a logging truck traveling 67 mph in a 45 mph zone. The truck slammed into a line of stopped cars, injuring a man, his 5-year-old niece and another driver in the next vehicle. The plaintiffs argued that the truck driver's employer was negligent in hiring him due to his careless driving history. The jury found the driver and the company president equally liable, awarding $125 million in punitive damages along with medical expenses.

Employer Negligent in Drunk Driving Crash – *California,* $83.8M

A couple experienced severe injuries in a collision when an unlicensed, intoxicated employee of a tree service company crossed a double yellow line while driving his employer's vehicle. The couple was awarded more than $83.8 million. The jury found the employer 75% liable for negligent hiring and for allowing the worker to drive despite knowing about his history of alcohol abuse and lack of a valid license. The employee was liable for the remaining amount. The verdict included $49 million in punitive damages, as well as compensation for medical costs, pain and suffering, and property damage.

- Warehouse Worker Paralyzed by Falling Pallet – *Connecticut*, $100M
- Contractor Negligent in Rooftop Fall – *New York*, $53.5M

Protection from the Unexpected

Travelers Excess Casualty offers Umbrella and Excess Liability products, with up to $25 million in capacity, to businesses of all sizes. Our dedicated Excess Casualty team of Claim professionals, risk managers and underwriters help ensure our customers are appropriately protected – providing peace of mind for large and complex losses.

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