

How Tort Reform Will Harm You

Have you heard about the guy who injured himself while using his lawn mower as a hedge clipper, and then won \$500,000 in a lawsuit against the lawn mower company? How about the woman who threw a soft drink at her boyfriend, slipped on the wet floor, and then won \$100,000 in a lawsuit against the restaurant? These are only two of the common examples of lawsuit abuses that are fueling the call for “litigation reform”. They are also completely false— part of a growing collection of legal myths that are appearing widely in the national media.

Horror stories offered by industry groups play to a weakness in the media for “you-are-not-going-to-believe-this” stories. Of course, it is not surprising that the stories are unbelievable — because most never occurred. Take the hedge-clipper man story. It has appeared in print, on TV programs, and in political speeches for decades. The story originated in an ad campaign by the insurance firm Crum & Forester, which later admitted that they made up the story. Yet, proving that facts should never stand in the way of a good story, it remains perhaps the most cited example of abuse — the best \$500,000 that the insurance industry never paid.

Legal legends can be irresistible, even for the most respected newspapers, magazines and networks. *U.S. News & World Report* owner Mort Zuckerman used the story of the soft drink lady in Pennsylvania in an article denouncing lawsuit abuse. He is not alone. The tale of Amber Carlson and her soda has appeared in countless television and print sources. It is also completely false — it never happened.

Both stories have been attributed to the Stella Awards, an annual listing of loony lawsuits. But the Stella Web site points out that the described lawsuits are complete fabrications. Yet they continue to appear in print and on the Internet.

Other examples of “true cases of lawsuit abuse” are:

- Kathleen Robertson of Austin received \$780,000 from a jury after she tripped over her own son in a furniture store. **FALSE**
- Terrence Dickson of Bristol, Pennsylvania, was given a \$500,000 award after he was inadvertently trapped in the garage of a house that he was burglarizing. **FALSE**
- Mr. Grazinski won more than \$1,750,000 and a new Winnebago after he put his new motor home on cruise control at 70 m.p.h. and then went into the back to fix himself some coffee, only to crash. **FALSE**

Why is this important to you? Because as long as politicians and insurance companies are allowed to spread these lies unchecked, people who are really hurt will not get fully compensated for their injuries. Insurance companies will make more money and have more money to give the same politicians who spread these lies.

If someone you know has been injured in a car wreck, on someone else’s property, or in any other way through no fault of his/her own, have them call **BOHM, BOYLE & JONES, P.C.** for their free consultation. You can reach us at 602-635-1385.

Firm announcements

JAMES B. GALBRAITH has joined the firm as an associate attorney. James graduated from the J. Reuben Clark Law School at Brigham Young University in 2003. His practice at **BOHM, BOYLE & JONES, P.C.** will focus on representing individuals injured in car accidents, on premises and by dog bites.

