

September 2011 Newsletter

Hot Coffee: The Famous (or Infamous) McDonald's Case

We do not intend to regularly review and comment on new movies, but there is a documentary film recently released which should be viewed by anyone interested in civil-justice issues. The movie is entitled *Hot Coffee*. It is an HBO documentary that provides desperately needed detail to the McDonald's coffee case. The film also covers lawsuits challenging mandatory arbitration provisions and statutes that attempt to cap medical-malpractice damages. It is a well-needed examination of American civil justice.

As a firm comprised of trial lawyers, we are constantly asked about the McDonald's case. Prospective jurors in jury selection bring it up, as do friends and family at ordinary social gatherings. *Hot Coffee* sets the record straight. We now learn what really happened to Stella Liebeck who was the elderly woman who spilled a scalding cup of coffee on herself and sustained very significant injuries. She sued the fast food giant to be compensated for the damage caused by its negligence. Her legal team presented the case to a jury of her peers, and the jury found in her favor. They presented proof that McDonald's knew it was serving coffee at extremely hot temperatures, knew a number of customers had already been burned by the coffee, and it simply decided as a cost-saving measure to do nothing about the problem.

The movie tells the truth about Mrs. Liebeck's suit, and it exposes the motive behind the public campaign that has been waged by those opposed to victim's rights. To protect their special interests, these organizations perpetuated the misinformation about this case and sought to use it as an example of a system gone awry. But those efforts backfired. After watching this film, one would be hard pressed to ever again take these so called "tort reformers" seriously. We urge you to see the film. It's available on HBO's "On Demand" service, and HBO will be releasing a DVD this fall.