

THE NATIONAL
LAW JOURNAL

 VERDICT
SEARCH

THE TOP

100

VERDICTS
OF 2005

MONDAY, FEBRUARY 20, 2006

VERDICTSEARCH TOP 100 VERDICTS OF 2005

Case			Lawyers	
Amount Status	Type Description	Name Court, Docket, Date	Plaintiff's attorney(s) Firm	Defense attorney(s) Firm
1 \$1,439,784,885 Judge entered a judgment of \$1.58B after adjustments.	Securities Fraud Morgan Stanley fudged Sunbeam's financials, Perelman claimed.	Coleman (Parent) Holdings Inc. v. Morgan Stanley Palm Beach Co., Fla., Cir. Ct. No. 2003 CA 005045, 6/18/2005	John Scarola , Searcy Denney Scarola Barnhart & Shipley, West Palm Beach, Fla.; Jerold S. Solovy , Jenner & Block, Chicago	Mark C. Hansen , Kellogg, Huber, Hansen, Todd, Evans & Figel, Washington
2 \$700,000,000 Court set aside punitive, reducing award to nothing.	Fraudulent Concealment Executive Life Ins. Co. buyer concealed its ties to Credit Lyonnais.	Quackenbush v. Altus Finance C.D. Calif. CV 99-02829-AHM 7/25/2005	Gary Fontana , Thelen Reid & Priest, San Francisco	Robert Welgel and James P. Clark , Gibson, Dunn & Crutcher, New York
3 \$606,109,011 High/low reduces recovery to \$2M.	Medical Malpractice Cancer patient given massive overdose of chemo drug.	Featherston v. Gressler Dallas Co., Texas, Dist. Ct. No. 03-08488 3/4/2005	Michael G. Sawicki , Brown, Sawicki & Mitchell, Dallas	Edward P. Quillin , Quillin Law Firm, Dallas
4 \$465,400,000 Award vacated; new trial set on damages.	Intellectual Property Memory-card maker accused electronics company of theft.	Lexar Media v. Toshiba Corp. Santa Clara Co., Calif., Super. Ct. No. 1-02-CV-812458 3/24/2005	Matthew D. Powers , Weil, Gotshal & Manges, Redwood Shores, Calif.	Michael A. Jacobs , Morrison & Foerster, San Francisco
5 \$420,800,000 Post-trial motions pending.	Antitrust Manufacturer claimed rival monopolized pulse-oximetry market.	Masimo Corp. v. Tyco Health Care Group L.P. C.D. Calif. CV 02-4770 MRP (A.J.W.) 3/21/2005	Stephen D. Susman , Susman Godfrey, Houston	Stephen C. Neal , Cooley Godward, Palo Alto, Calif.
6 \$253,450,000 Punitive capped at \$1.85M, reducing award to \$26.1M.	Products Liability Manufacturer failed to disclose Viiox heart attack risk.	Ernst v. Merck & Co. Inc. Brazoria Co., Texas, Dist. Ct. No. 19961-8H02 8/19/2005	Mark W. Lanier , The Lanier Law Firm, Houston	David G. Kiernan , Williams & Connolly, Washington; Gerry Lowry , Fulbright & Jaworski, Houston
7 \$244,947,709 Motion for new trial denied.	Securities Fraud Casino investors kept in dark about developer's mob ties.	RAP I LLC v. Nii-Jii Entertainment LLC Kenosha Co., Wis., Cir. Ct. No. 01-CV-001151 5/24/2005	George P. Kersten , Kersten & McKinnon, Milwaukee	Thomas M. Devine , Hostak Henzl & Bichler, Racine, Wis.
8 \$212,580,000 Reduced to \$10.6M due to liability of settling defendants.	Medical Malpractice Newborn brain-damaged after doctor failed to perform emergency C-section.	Flaherty v. Fromberg Suffolk Co., N.Y., Sup. Ct. No. 00-05600 6/29/2005	Kevin M. Fox , Russo, Fox & Karl, Hauppauge, N.Y.	Raymond J. Furey , Furey, Kerley, Walsh, Matera & Cinquemani, Seaford, N.Y.; Anthony P. Vardaro , Vardaro & Helwig, Smithtown, N.Y.
9 \$175,023,798 Parties reached a confidential settlement.	Intellectual Property Energy company breached contract with synthetic fuel maker.	Headwaters Inc. v. Arthur J. Gallagher & Co. Utah Co., Utah, Dist. Ct. No. 000403381 2/15/2005	Harlan Hatfield , General Counsel for Headwaters Inc., South Jordan, Utah	Alan L. Sullivan , Snell & Wilmer, Salt Lake City
10 \$172,268,673 Appeal expected.	Employment Employer failed to provide employees with legally required meal breaks.	Savaglio v. Wal-Mart Stores Inc. Alameda Co., Calif., Super. Ct. No. C-835687 12/22/2005	Frederick P. Furth and Jessica L. Grant , The Furth Firm, San Francisco	Neal S. Manne , Susman Godfrey, Houston
11 \$163,591,939 Reduced to \$5M based on pretrial agreement.	Premises Liability Sidewalk on bridge closed, teen forced onto lane of travel.	McKinney v. Bob's Barricades Inc. Miami-Dade Co., Fla., Cir. Ct. No. 00-18471 CA 31 7/21/2005	Arthur W. Tifford , Tifford and Tifford, Miami	James S. Usich , Law Office of James S. Usich, Palmetto Bay, Fla.
12 \$159,900,000 Motions for JNOV pending.	Breach of Contract Strategic partner backed out of deal to build satellite system.	Final Analysis Communications Services Inc. v. General Dynamics Corp. S.D. Md. No. PJM 03-0307 9/6/2005	James J. McGuire , Sheppard, Mullin, Richter & Hampton, New York	Michael A. Doornweerd , Jenner & Block, Chicago; John M. Quinn , Ethridge, Quinn, McAuliffe, Rowan & Hartinger, Frederick, Md.
13 \$135,450,000 Net \$105,225,000 against Aramark Corp. only.	Dram Shop Concession operator served 16 beers to New York Giants fan at football stadium.	Verni v. Lanzaro Bergen Co., N.J., Super. Ct. No. BER-L-10468-00 1/28/2005	David A. Mazie , Nagel Rice & Mazie, Roseland, N.J.	Keith Harris , Braff, Harris & Sukoneck, Livingston, N.J.
14 \$128,025,000 Interest, costs and judicial enhancement add \$2.5M.	Intellectual Property Cellphone billing technology used without a license.	Freedom Wireless Inc. v. Boston Communications Group Inc. D. Mass. No. 00-CV-12234-EFH 5/26/05	William C. Price , Quinn Emanuel Urquhart Oliver & Hedges, Los Angeles	Philip C. Swain , Foley Hoag, Boston
15 \$119,900,000 Interest brought total to \$182.9M. Motions pending.	Accountant Malpractice Receiver for insolvent carrier claimed auditor painted false picture, CEO mismanaged.	Ambassador Insurance Co. v. PricewaterhouseCoopers LLP D.N.J. No. 85-2441 7/29/2005	Richard B. Whitney , Jones Day, Cleveland	Jay Kelley Wright , Arnold & Porter, Washington
16 \$117,400,000 Post-trial, \$65M punitive award reduced by 30%.	Fraud Purchaser of now-insolvent HMOs deceived regulators.	Woolley v. Lucksinger East Baton Rouge Parish Dist. Ct. Nos. 499,737; 509,297; 512,366 6/30/2005	Joseph "Jerry" McKernan , McKernan Law Firm, Baton Rouge, La.	James C. Percy , Jones, Walker, Waechter, Poitevent, Carrère & Donègre, Baton Rouge, La.
17 \$98,120,413 Appeal pending.	Products Liability Defective crankshaft design blamed for small airplane engine failures.	Interstate Southwest Ltd. v. Avco Corp. Grimes Co., Texas, Dist. Ct. No. 29,385 2/15/2005	Martin Rose and Hal Walker , Rose Walker, Dallas	Scott W. Cohen , Jones Day, Houston
18 \$94,800,000 Motion to set aside verdict pending.	Intellectual Property Patents for cataract-surgery technology infringed.	Advanced Medical Optics Inc. v. Alcon Manufacturing Ltd. D. Del. CA 03-1095-KAJ 5/6/2005	Andrew James Isbester , Isbester & Associates, Berkeley, Calif.	Robert G. Krupka , Kirkland & Ellis, Los Angeles
19 \$90,313,888 Of the award, \$90.1M is against Clear Channel.	Tortious Interference Competitor's threats sabotaged deal to produce motorcycle-racing series.	JamSports and Entertainment LLC v. Paradama Productions Inc. N.D. Ill. No. 1:02-CV-02298 3/21/2005	Jeffrey Singer , Segal McCambridge Singer & Mahoney, Chicago	Lee A. Freeman Jr. , Freeman, Freeman & Salzman, Chicago; Kevin L. Shoemaker , Shoemaker, Howarth & Taylor, Columbus, Ohio
20 \$85,500,000 Prejudgment interest adds \$5.1M. Appeals pending.	Breach of Fiduciary Duty Heirs claimed estate lawyers, bank and foundation failed to disclose ties.	Gailloux v. Baker Botts Kerr Co., Texas, Dist. Ct. No. 03-609-B 2/25/2005	Rick Harrison , Fritz, Byrne, Head & Harrison, Austin, Texas	David J. Beck , Beck, Redden & Seacrest, Houston; Dean V. Fleming , Fulbright & Jaworski, San Antonio