



10 Compensation culture

In July 1998, 83-year-old Stella Liebeck bought a cup of coffee from her local Macdonald's restaurant. When she went to drink it, the cup slipped and she spilled the boiling coffee onto her lap, burning both her legs. Mrs Liebeck was so angry that she took Macdonald's to court, saying that the restaurant should have warned her that the coffee would be hot. The court agreed and Macdonald's were forced to pay her \$1,700,000 in compensation.

1 Before you read, discuss the following.

What do you think of this story?

Whose fault was it, Mrs Liebeck's, Macdonald's or nobody's?

Was \$1,700,000 fair compensation for her injuries?

Now read two articles that describe the growing 'compensation culture' in Britain and America. These cases are so common that an internet company now organises the annual Stella Awards (named after Mrs Liebeck), where prizes are given to those who make the most ridiculous compensation claims of the year.

SAFeway LEAFLET CRIPPLED MY DOG

Muffin's letter-box injury

SAFeway bosses were left with a hefty claim after a DOG hurt itself grabbing a store leaflet posted through the door.

Pet lovers Gordon and Susan Musselwhite say their dachshund Muffin leapt up and fell awkwardly.

They returned home to find the pooch lying motionless in the hallway. The leaflets in the letter-box had teeth marks.

The six-year-old pet dislocated a disc in his spine and needed immediate surgery.

Dad-of-two Gordon said: "It was heartbreaking. Our children have grown up and our dogs are like a second family to us.

"We were warned it would be an expensive operation but what do you do?"

Now the retired couple want £2,300 for vet's fees and legal bills after a two-year legal battle with Safeway. They say the leaflet should have been put in a postbox by their front gate.

C I R C U L A R S

Gordon, 61, of Yealmpton, Devon said: "We have notices up saying we don't want circulars and a bright red letter-box right by the gate.

"We don't want things through our letterbox because it provokes the dogs. We did not invite anyone on to our property to cause this damage."

Safeway has referred the matter to its insurers. A spokeswoman said: "All complaints are taken very seriously."



Glossary

- 1 Safeway: a major supermarket chain
- 2 pooch: dog
- 3 circular: a printed advertisement delivered to lots of addresses

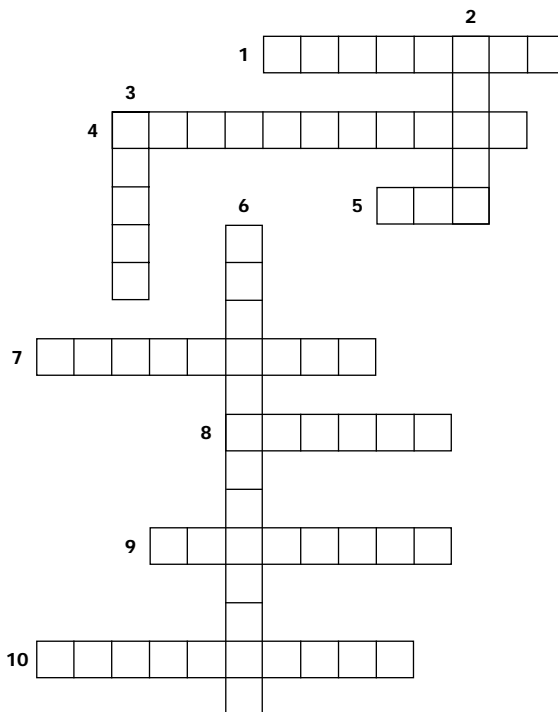
2 As you read, complete the crossword with ten words from the text.

Across

- 1 injured so badly that you cannot walk
- 4 a woman who speaks on behalf of a company or organisation
- 5 animal doctor
- 7 uncomfortably, in a clumsy way, in a way that might cause injury
- 8 opposite of pale
- 9 taking forcefully
- 10 not moving

Down

- 2 jumped
- 3 backbone
- 6 really sad



3 Now circle T (True) or F (False).

- a Safeways put a circular through the Musselwhite's door. T / F
- b Muffin was hit on the head by the leaflet. T / F
- c The dog jumped up to try and catch the leaflet. T / F
- d The Musselwhites were at home when the accident happened. T / F
- e The dog injured her neck. T / F
- f Muffin had an operation a few weeks later. T / F
- g The vet did not tell the family it would be an expensive operation. T / F
- h Mr Musselwhite is still working. T / F
- i The Musselwhites have a postbox next to their front door. T / F
- j Safeways are not interested in the case. T / F

Now read *Writs a mad, mad world.*





AMERICANS CASH IN WITH CRAZY COURT CLAIMS

Writs a mad, mad world!

CLAIM 1: When convicted bank robber Michael Brodson decided to make a break for freedom by scaling a 40ft prison wall, he ended up falling off and breaking his leg. Brodson promptly sued Ohio prison authorities, claiming they had failed to inform him that climbing the wall was dangerous. **RESULT:** *Bradson received £12,000 for his efforts.*

CLAIM 2: Drunk driver Franklin Loadaer was so hammered one night that he went through several detour signs near his Illinois home before crashing his car through a hedge and into a wall. When he sobered up, he sued the engineering company that designed the road, the contractor, four subcontractors and the state highway department. **RESULT:** *After five years of legal wrangling, all of the defendants agreed to make the*

case go away by settling with Loadaer for £21,000. The engineering firm was left with a legal bill for £120,000.

CLAIM 3: Teenager Carl Truman sued after his neighbour ran over his hand with a Honda Accord outside his Los Angeles home. **RESULT:** *Even Truman must have been surprised to receive a £45,000 pay-out plus medical expenses - considering he had been trying to steal his neighbour's car at the time!*

CLAIM 4: Kathleen Robertson, of Austin, Texas tripped over a toddler in a furniture store. **RESULT:** *She won a whopping £470,000 compensation payout - even though the toddler who floored her was Robertson's own son!*

CLAIM 5: They say people can get burned at barbecues... but spare a thought for the friendly neighbour who invited Alan Dunane over for sausages and steak.

After drinking heavily throughout the afternoon Alan, from Florida, climbed on to the back fence and attempted to walk along its length. Instead, he fell off into a canal on the other side and injured himself. **RESULT:** *Dunane sued his neighbour because he claimed the fence had a flat top, rather than a pointed one, so he could walk on it. Amazingly, Dunane won the case and received £6,000 compensation.*

CLAIM 6: Merv Grazinski, of Oklahoma purchased a brand new 32ft Winnebago motor home. On his first trip he set the cruise control at 70mph and calmly left the driver's seat as the Winnebago sped along the motorway, to go into the back and make himself a cup of coffee. Not surprisingly, the vehicle left the motorway shortly afterwards and crashed. **RESULT:** *Grazinski sued Winnebago for not advising him in the owner's manual that he couldn't actually leave the*

vehicle to drive itself. The jury awarded him £1,250,000 plus a new motor home.

CLAIM 7: Delaware clubber Kara Wilson decided to climb in through a nightclub's toilet window to avoid paying the £2 entry fee. She slipped, knocked out her two front teeth on the floor below - and sued. **RESULT:** *She was awarded £7,000 and free dental expenses to repair her mangled gnashers.*

CLAIM 8: Sweet-toothed Robert Forster, of Ohio, is currently suing both the manufacturers of M&Ms and his local store for "mislabelled and defective merchandise" after a packet of peanut-flavoured sweets included a plain one. Forster claim he bit down on the plain one too hard thinking it was a peanut one and cut through the skin on his lip. The injury, he says, then required a visit to the hospital. **RESULT:** *The claim is still going through the courts - but if he wins, he stands to get £300,000.*



Glossary

- 1 writ: a legal document explaining your claim (in the title, *writs* is a pun on *it's*)
- 2 hammered: very drunk
- 3 sobered up: became sober again (*sober* is the opposite of *drunk*)
- 4 wrangling: long, complicated argument
- 5 toddler: a very young child just learning how to walk
- 6 whopping: very large, huge
- 7 floored: knocked down onto the floor
- 8 Winnebago: a make of motor home
- 9 40ft/32ft: 12.19m/9.75m.
- 10 mangled gnashers: damaged teeth

4 As you read, answer the questions to find the meaning of these words.

- a Does *scaled* mean climbed or fell from?
- b Does *promptly* mean very quickly or after some delay?
- c Is a *hedge* a barrier made of stone or made from plants/small trees?
- d Does *settling with* mean continuing the fight or coming to an agreement?
- e Does *purchased* mean sold or bought?
- f Does *sped* (the past of *speed*) mean went quickly or went slowly?
- g Does *manual* here mean by hand or a kind of book?
- h Does *sweet-toothed* refer to someone who enjoys sweet things or someone who hates chocolate?

5 Now write the number of the claim or claims to answer these questions.

In which claim ...

- a did the claimant sue a neighbour? **3,**
- b were the claimants drunk?
- c was the claimant trying to avoid paying?
- d was there an injury caused by a fall?
- e were drivers involved in a crash?
- f was there an accident caused by a very young child?
- g did claimants suffer injuries to their mouths?
- h did the claimant receive the most compensation?

6 Read and discuss the following statements.

Use this useful language.

- *How can you blame (someone) if ...?*
- *People should take more care when they ...*
- *It all depends on ...*
- *It's not my/his/the government's fault if ...*
- *It's a grey area ...*
- *to take responsibility for ...*
- *to blame someone else for ...*
- *over the top (=excessive) ...*
- *to claim damages (financial compensation) from / for ...*

- a Smokers should be able to sue tobacco companies.
- b If you do not like a film, the cinema should give you your money back.
- c Companies that pollute the atmosphere should be heavily fined.
- d If your train, plane or bus is delayed, you should always get compensation.
- e If you fail your exams, you should be able to sue your school.
- f Africans should get compensation for the slave trade of 200 years ago.
- g An actress photographed shopping without her make-up should be able to sue any paper that prints the pictures.
- h People who drop litter or chewing gum should pay for it to be picked up.

7 Imagine you are one of the characters in the newspaper articles. Write your claim for compensation, then present it to the class.

My name is ...

I am here today to claim ... from ... because I ...

What happened was ...

It wasn't my fault because ...

You should award me the money because ...

Let the class ask you questions, then have a class vote to see if the claim is successful or not. Is your class's decision the same as the decision taken by the courts?