Water Contamination Lawsuit Thickens

San Francisco (PRNewswire) — Attorneys from Houston-based Hicks Thomas LLP are announcing a take-nothing defense verdict handed down recently in favor of Naperville, IL-based R.R. Street & Co. Inc. in a water contamination lawsuit filed by the city of Modesto, CA.

The city of Modesto sued not only Street, but also Midland, MI-based Dow Chemical Co., Pittsburgh-based PPG Industries and others in 1998 based on claims that the companies failed to warn local dry cleaning businesses about the potential risks of a solvent that allegedly contaminated underground water. The chemical, perchloroethylene (PERC), is widely used in the U.S. dry cleaning industry.

Attorneys for the city claimed that city water wells at multiple sites were contaminated with PERC, and sought a verdict that would require the defendants to help pay for cleanup. However, San Francisco Superior Court Judge Ernest H. Goldsmith dismissed the majority of the sites from the case, finding that there was no evidence of damage to the city that was caused by the companies' products.

The May 18, 2009 verdict found with respect to Street states that the benefits of PERC outweighed any potential risks, and that there was no failure to warn on the part of Street. Jurors assessed $18 million in damages against Dow Chemical and PPG for contamination at one of the well sites; however, settlement credits from other defendants are expected to offset that award.

"R.R. Street has always worked with the highest standards for safety," says John Thomas, a partner in Hicks Thomas and lead counsel for the company. "We are pleased that the jury carefully reviewed the facts in this case and found no wrongdoing by our client."

In 2006, the city won a $3 million verdict in an earlier phase of the trial involving four additional well sites. That award was offset by recoveries that the city made in settlements with other parties.

"As a company, the quality and safe use of our products is of utmost importance," says L. Ross Beard, CEO of R.R. Street & Co. Inc. "We are gratified that the jury agreed that Street acted properly."

More Chem.Info Articles:

Biological Warfare: The battle for efficient ethanol production has moved to the microbe level. [1]

Editorial: Stimulus I can Believe In [2]

Field Report: INEOS Selects SIL3 Over SIL2 [3]

Source URL (retrieved on *09/16/2014 - 6:39pm*):
http://www.chem.info/news/2009/05/water-contamination-lawsuit-thickens

Links:
[1] http://www.chem.info/ShowPR~PUBCODE~075~ACCT~0000100~ISSUE~0905~RELTYPE~PPRO~PRODCODE~0000~PRODLETT~CD.html
[2] http://www.chem.info/ShowPR~PUBCODE~075~ACCT~0000100~ISSUE~0905~RELTYPE~EDNT~PRODCODE~0000~PRODLETT~CG.html
[3] http://www.chem.info/ShowPR~PUBCODE~075~ACCT~0000100~ISSUE~0905~RELTYPE~FRPT~PRODCODE~0000~PRODLETT~CJ.html