

Street Law: A Course in Practical Law (11th ed.)

THE CASE OF...

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The Spilled Coffee

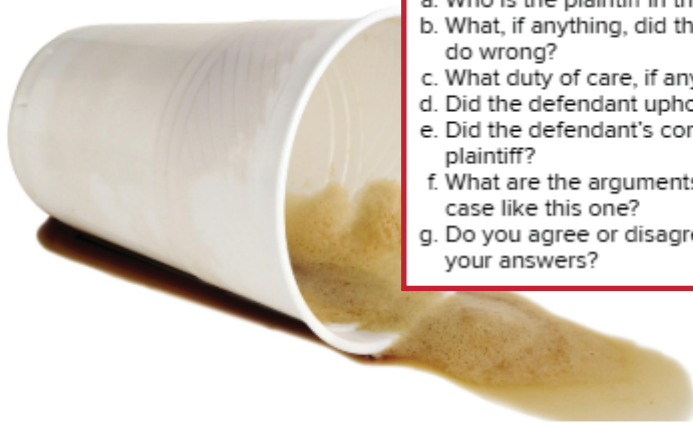
In 1994, 79-year-old Stella Liebeck bought a cup of coffee from the drive-through window at a fast-food restaurant. While the car in which she was a passenger was stopped to allow her to put cream and sugar in her coffee, she balanced the cup between her knees and attempted to remove the lid. The coffee spilled, causing third-degree burns to over six percent of Liebeck's body and causing her to spend eight days in the hospital and undergo skin graft operations. Liebeck sued the restaurant for damages.

The restaurant was part of a large national chain that served its coffee at approximately 180°F (82°C), despite the fact that coffee at such a high temperature is too hot to drink. At the trial, the chain's quality control manager testified that the sale of any food over 140°F (60°C) would create a burn hazard.

The restaurant argued that, according to its surveys, many of its customers take coffee back home or to work with them and consume it there, so the higher temperature is necessary to assure that it will still be hot when consumed. They also claimed that many customers choose this particular chain specifically because they do serve their coffee so hot. However, the chain was also aware that, between 1982 and 1992, approximately 700 claims had been filed by people burned by their coffee.

The jury awarded Liebeck \$160,000 in compensatory damages (finding her 20 percent at fault for her own negligence) and \$2.7 million in punitive damages (the equivalent of two days of the chain's coffee sales). The trial judge reduced the amount of punitive damages to \$480,000, and the parties eventually came to a confidential (secret) settlement agreement for an undisclosed amount.

The case launched a public debate about the appropriateness of lawsuits with high damage awards in situations such as this one.



- a. Who is the plaintiff in this case? Who is the defendant in this case?
- b. What, if anything, did the defendant do wrong? What, if anything, did the plaintiff do wrong?
- c. What duty of care, if any, did the defendant have toward its customers?
- d. Did the defendant uphold or breach their duty? Explain your answer.
- e. Did the defendant's conduct in some way cause the harm suffered by the plaintiff?
- f. What are the arguments for and against the award of punitive damages in a case like this one?
- g. Do you agree or disagree with the outcome of this trial? Give the reasons for your answers?