

# SECURING A DEFENSE VICTORY IN A \$9 MILLION CLAIM BY TWO INJURED MISSISSIPPI CHEMICAL PLANT WORKERS.

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## **Our Client's Challenge**

Two instrument technicians working on a chemical plant pipeline in Pascagoula, Mississippi were severely burned by sulfuric acid while repairing a leak within a valve designed and manufactured by our client. The client's valve was an easy target for the defective warning and design claims brought by these badly injured plaintiffs.

## **Our Approach**

We sought to transfer the blame for this tragic accident from our client's valve to the plaintiffs' employer, where it properly belonged. To do that required explaining how the employer's procedures for draining the sulfuric acid from the pipeline were flawed and the actual cause of this accident.

Because the pipeline was 600 feet long, we needed to discuss the presence or absence of drainage ports and bleeder ports at different locations all along this pipeline. We also needed to be able to isolate the specific pipeline on which the plaintiffs were working from several other parallel pipelines.

To accomplish these objectives, our in-house trial graphics team, working with our outside expert in chemical safety, created an interactive 3-D electronic model of the pipeline that allowed us to zoom in and out at any point along its 600-foot path. We used this interactive model in our opening statement, with the plaintiffs' witnesses and with our own expert to demonstrate exactly how the plaintiffs' employer had tried to drain the sulfuric acid from the pipeline and explain why those drainage procedures did not work. Obviously, if the pipeline had been properly drained, there would have been no sulfuric acid present to spray from our valve onto the plaintiffs.

## **The Result**

After a four-day trial, the jury rejected the plaintiffs' \$9 million damage request for medical expenses, lost wages, pain, suffering, disfigurement and loss of consortium, and returned a verdict for our client on all claims.