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The new normal? Judge slashes punitive damages jury award in trucking accident

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For years, “nuclear verdicts” in the trucking industry have continued to grow, with juries awarding more and more money to plaintiffs who were injured in an accident involving a commercial vehicle.

At least to the extent those verdicts involve overzealous punitive damage awards, could the tide be turning?

Recently, a Philadelphia judge significantly reduced a punitive damages jury award in a truck accident trial, an encouraging sign for transportation companies that judges are more closely examining nuclear verdicts when juries award damage amounts that are higher than the law typically allows. Nuclear verdicts are jury awards usually exceeding $10 million.

In *Clemmons v. Lehr*, the jury awarded $26.2 million to a truck driver who suffered a brain injury after another truck hit his parked vehicle during snowy weather. The breakdown included:

- $1.2 million in compensatory damages (for medical bills, lost income, etc.)
- $25 million in punitive damages, intended to punish and deter the trucking company and driver.

What the court did

The judge ruled that the $25 million punitive award was excessive and unconstitutional and reduced it to $1 million.

This type of reduction is called a "remittitur," in which a judge reduces a jury award beyond what the law allows.

Why it matters

Punitive damages are meant to punish serious misconduct, not ordinary negligence. In this case:

- The driver was allegedly speeding in bad weather.
- But there was no evidence of fraud, intentional harm, or repeated violations.
- The court said a $25 million penalty didn't match the facts or the law.

The original award was more than 20 times higher than the actual damages suffered, well outside the legal limits. Courts generally view anything over a 10-to-1 ratio as excessive unless there's extreme wrongdoing.

Key takeaways for businesses

Trucking companies remain under fire from plaintiff attorneys in the industry. Given this case and the industry's current state, there are ways to reduce a company's exposure.

Runaway verdicts are being scrutinized. Courts are willing to step in when juries impose excessive punitive damages.

Proper hiring and training still matter. While the company avoided a massive penalty here, the case highlights how operational decisions (like driver supervision and training) can lead to significant exposure.

Insurance and risk teams should monitor claims with punitive potential. This includes incidents involving allegations of recklessness, poor oversight, or systemic safety failures.

Documentation and policies can be protective. Having clear, enforceable safety protocols and disciplinary records can help limit punitive exposure in the event of an accident.

Bottom line

This case shows that while juries may issue large verdicts, courts are applying legal limits to ensure fairness. Businesses in transportation, logistics, and other high-risk industries should take note – and proactively manage safety practices and litigation risk.

If you have a question about nuclear verdicts or ways to reduce your company's exposure in an accident, please contact me or any of the attorneys in the Saxton & Stump Trucking and Commercial Transportation Group.

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