

Compensation culture

Discussion

1. Is it common to sue doctors, hospitals, or newspapers in your country?
2. Have you or anyone you know ever sued someone or been sued? What was the outcome?

Reading

A few years ago a woman suffered severe burns from a cup of coffee served at a fast food restaurant and she sued. Read what happened and decide who you side with – the woman or the fast food restaurant?

HOT COFFEE VICTIM GETS \$3M

A woman has been awarded a total of almost 3 million dollars in damages, after claiming that the coffee she was served at a US fast food restaurant and then spilled on herself was too hot.

The woman was in the passenger seat of her grandson's car when she was served a cup of coffee at the drive-through window of a local fast food outlet. According to reports, after receiving the food order, the grandson moved his car forward and stopped for a moment so that his grandmother could add cream and sugar to her coffee. She placed the cup between her knees and tried to remove the plastic lid from the cup. As she did so, the entire contents of the cup spilled onto her lap, leaving her severely burned and needing hospital treatment.

A company representative explained that coffee is kept at a particular temperature because customers naturally want their coffee served hot. He pointed out that customers buy coffee on their way to work or home, intending to consume it there, not while in the car.

One commentator couldn't believe the woman won her case. "The world has gone mad. If you can get \$3 million for spilling hot coffee on yourself, then it's only a matter of time before we get the headlines:

WOMAN GETS PREGNANT AND SUES CONDOM COMPANY, or MAN WITH BAD HAIRCUT SUES FOR EMOTIONAL DAMAGES."

Discussion

Tell your partner who you side with – the woman or the fast food chain. Explain why. Take a class vote on the case. Who do you think was responsible for the injuries?

Are you sure?

Most people think the woman was at fault for her injuries and that the amount of money she received was ridiculous. Here are a few more facts about the case. First read the facts:

The woman suffered third degree burns over 6% of her body in very sensitive areas. She was in hospital for eight days. She spilled the coffee while she was sitting in a parked car trying to remove the cup's lid. She was not driving the vehicle, nor was it moving. She tried to settle her case out of court for \$20,000 but the restaurant chain refused.

The restaurant knew of the problem. They had already received hundreds of complaints. They knew that drinks can burn at temperatures over 60 degrees, but they maintained a policy to keep their coffee 5-10 degrees higher. The chain makes over a million dollars a day in coffee sales.

Have you changed your mind? Hold a class debate. Divide the class into two groups: those who are on the woman's side and those who side with the restaurant chain.