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Biggest court awards and settlements

The list of largest local court awards is a selection taken from *Crain's* research and annual lists published by *Michigan Lawyers Weekly*. Some larger awards may have been reversed and were not included.

1. \$48.7 million

Pulte Homes Inc. received the award in September 2003 in a lawsuit against the federal government. The **U.S. Court of Claims** ruled the government breached a contract with Pulte in connection with its 1988 acquisition of five Texas savings and loans. At issue were tax benefits and other provisions during Pulte ownership.

2. \$40.8 million

Model-train manufacturer **Lionel L.L.C.** filed for Chapter 11 protection in **U.S. Bankruptcy Court** in New York City. The company said its November 2004 filing was prompted by a judgment against it for misappropriation of a competitor's designs by a subcontractor. Chesterfield Township-based Lionel remains in Chapter 11.

3. \$31 million

In April 2004, the city of **Sterling Heights** approved a settlement with **Hillside Productions Inc.** after U.S. District Judge Nancy Edmunds found city officials had "established a relentless pattern of harassment and vindictiveness" over permit issues, allegations of noise and traffic problems at **Freedom Hill Amphitheater**.

4. \$30 million

Robert Kearns, the late Dearborn inventor of the intermittent windshield wiper, won more than \$30 million in the 1990s from various manufacturers after years of patent lawsuits.

5. \$30 million

This is what **Burger King** paid Detroit fast-food king La-Van Hawkins to settle a lawsuit in June 2001, according to a later lawsuit the company filed against an insurance company. Hawkins had charged that Burger King reneged on a deal to help develop 225 inner-city restaurants. Burger King said it agreed to 25 restaurants.

6. \$27.5 million

Venture Holdings Co. L.L.C. won a breach-of-contract verdict in December 2003 for lost profits against **Autoliv ASP Inc.** Autoliv canceled orders with Venture after it refused to cut its contracted price for parts.

7. \$26.3 million

The city of Pontiac sued the **Detroit Lions** in 2000 after the Lions announced they would breach their lease of the **Pontiac Silverdome** and move to **Ford Field** in 2002. The dispute ended in a settlement Nov. 28, 2001.

8. \$25 million

City of Detroit vs. Detroit Plaza L.L.C. was a condemnation lawsuit over the value of 6.3 acres on Detroit's east riverfront. It ended in an April 2004 jury verdict for the Detroit Plaza partnership in **Wayne County Circuit Court**.

9. \$18.6 million

A six-week trial in **Oakland County Circuit Court** during the summer of 1993 resulted in a verdict for Jamie and Irene Martinez in a medical malpractice birth trauma case against **Botsford Hospital** and a doctor there.

10. \$16.6 million

A trade-secrets violation verdict in favor of **Valassis Communications Inc.** was reached by a U.S. District Court jury in Detroit July 27, 2001, against **The Sunflower Group** for inducing a Valassis plant manager in Mexico to reveal processes connected with newspaper polybag sampling.

11. \$11.2 million

BuynSupply.com Inc. vs. General Motors Corp. resulted in a breach-of-contract judgment to the supplier from **Wayne County Circuit Court** in February 2004 after an arbitration award. BuynSupply accused GM of failing to supply access to an electronic library of assembly machine parts, which it was to use to produce a searchable Web-based site for suppliers. GM's appeal is pending.

12. \$10.5 million

Ford Motor Co. settled two class-action age-discrimination lawsuits in Wayne County Circuit Court in January 2002, agreeing to pay 500 former and current employees in exchange for dropping race and gender claims.

13. \$10.4 million

Survivors of the **Dell'Orco** family of Canton Township received a settlement in 1993 after suing a Christmas tree lights manufacturer and others over a 1990 fire that killed seven members of the family.

14. \$7.1 million

Northwest Airlines settled a class action lawsuit brought by passengers stranded on planes for several hours by a 1999 blizzard.

15. \$6.8 million

In February 2002, **Merkur Steel Supply Inc.** won a verdict against the city of Detroit in Wayne County Circuit Court. The city prevented the company from using all of the property it was leasing for more than 10 years. Appeals were unsuccessful, and Detroit paid more than \$9.1 million with interest last year, said Dearborn attorney Mark Demorest.

16. \$6.4 million

The largest punitive damage award ever by a bankruptcy court was levied April 25, 2003, by U.S. Bankruptcy Judge Steven Rhodes in favor of Birmingham-based **John Richards Homes Building Co. L.L.C.** The court sanctioned Detroit TV exec Kevin Adell for filing a bad-faith involuntary-bankruptcy lawsuit against the builder in June 2002 in a dispute over a property sale and home construction deal.

17. \$4 million

Steel Associates and its subsidiary, **City Steel Processing Co.**, won a verdict in Wayne County Circuit Court against the city of Detroit in November 2003. The city was accused of interfering with the steel company's business by designating its property near City Airport for taking to expand runways, then failing to follow through. Detroit's appeal is pending.

18. \$3.9 million

The Piston Group, an auto supplier owned by former Detroit Piston Vinnie Johnson, lost a judgment in March 2005 to two brothers from whom it bought **Custom Molders Inc.** in March 2003. The Piston Group had stopped making payments.

19. \$3.8 million

Former college and NFL coach Barry Switzer and Larry Derryberry, a former Oklahoma attorney general, won \$3.8 million in 2003 from Wayne County Circuit Court jury verdicts against **DVI Financial Services Inc.** The case involved inflated valuation on medical imaging equipment leases by DVI for which Switzer and Derryberry had signed guarantees that forced them to pay \$4.3 million to settle claims.

20. \$1.4 million

Bingham Farms-based **Malan Realty Investors Inc.** had to pay \$1.4 million to former president and CEO Anthony Gramer. The Michigan Court of Appeals in 2003 upheld an Oakland County Circuit Court decision saying Gramer was entitled to additional compensation under his employment agreement after he was fired in a July 2000 proxy battle, and control changed at the company.

— Robert Ankeny

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