

NEWS

Judge Rejects Exxon Mobil's Challenge to \$725M Benzene Verdict, Adds \$91M in Delay Damages

Judge Carmella Jacquinto of the Philadelphia Court of Common Pleas' Sept. 13 rulings rejected a multipronged effort from Exxon Mobil to challenge the verdict handed up in May in *Gill v. Exxon Mobil*.

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Toxic Torts



Aleeza Furman
Litigation Reporter

What You Need to Know

- A Philadelphia judge upheld a \$725.5 million benzene verdict against Exxon Mobil.
- The judge also added \$90.8 million to the verdict, molding the total award to \$815.8 million.
- Exxon Mobil had argued, among other things, that the verdict was the result of juror bias against the company.

One of Philadelphia's highest verdicts of 2024 just got larger.

A trial judge on Sept. 13 upheld a [\\$725.5 million](#) benzene verdict against Exxon Mobil and tacked on an additional \$90.8 million in delay damages, bringing the total award to \$815.8 million.

Judge Carmella Jacquinto of the Philadelphia Court of Common Pleas' Sept. 13 rulings rejected a multipronged effort from Exxon Mobil to challenge the verdict handed up in May in *Gill v. Exxon Mobil*. In addition to denying the defendant's post-trial motion, Jacquinto also denied a motion from the company to supplement its case for a new trial with additional arguments.

The jury had awarded \$725 million in compensatory noneconomic damages for plaintiff Paul Gill, plus \$500,000 to his wife for loss of consortium.

Gill, represented at trial by Locks Law Firm and Waters Kraus Paul & Siegel, claimed he developed acute myeloid leukemia as a result of his exposure to benzene-containing Mobil-brand gasoline made and distributed by Exxon Mobil. He contended that the company knew its products contained benzene and knew benzene was carcinogenic, but concealed its knowledge of the chemical's health risks.

Exxon Mobil claimed in its initial [post-trial motion](#) that the Gill verdict was "legally and constitutionally impermissible, factually unsupported and manifestly irrational."

The company—represented by DLA Piper; Dickie, McCamey & Chilcote; and Maron Marvel Bradley Anderson & Tardy—asserted that the plaintiffs were not entitled to recover against Exxon Mobil at all because they had already been compensated by another defendant for their injuries. Exxon Mobil additionally contended that the plaintiffs had failed to properly support their product defect and failure to warn claims and that the verdict was "shockingly excessive" due to "an inflamed, ill-equipped and/or confused juror majority seeking to impose a de fact punitive damages award."

Several months later, the defendant filed a [motion](#) to supplement its original post-trial arguments, alleging that it had uncovered online comments one of the jurors posted following the trial suggesting the jury's decision was motivated by bias against Exxon Mobil.

However, the judge was not convinced, declining to grant the judgment notwithstanding the verdict, new trial or remittitur requested by the defense.

Kline & Specter partner Charles Becker, who represented the plaintiffs in the post-trial proceedings, said in a statement, "Mr. and Mrs. Gill thank the Court for its careful review of Exxon Mobil's assignments of error against the backdrop of the trial evidence and the jury's verdict. They hope that Exxon Mobil and all companies that incorporate benzene into their products will take appropriate steps to reduce benzene exposure and prevent people like Mr. Gill from developing cancer and suffering the terrible effects of that disease."

A spokesperson for Exxon Mobil did not respond to requests for comment, however the company has said in previous statements about the case that it plans to "exhaust all available appeals" and is "confident an appellate court will see the verdict for what it is."