

# A civil action irac style format assignment

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A Civil Action FACTS: This movie, A Civil Action, is about a lawsuit that began with the death of twelve people, and eight of those twelve people were children. This all takes place in the little city of Woburn Wells, Massachusetts. This is a small city that has two companies that are located really close to the cities river. One company is called W. R. Grace Company and the other is Beatrice Foods. Jan Schlitmann is the main attorney for the plaintiff's side along with his partners; Conway, Gordon, and Crowley. The attorney for W. R. Grace was William Cheeseman, and the attorney for Beatrice foods was Jerome Fatcher.

Anne Anderson initially told one of Jan's partners her story and put many calls into their office. However, she never a response from them! So Anne put a call into Jan Schlitchmann while he was on a radio show. Jan and his partners discussed the case and Jan agreed to go and meet with Anne and the family member's of the children who died from Leukemia. So he went to the city of Woburn Wells. Jan saw the companies W. R. Grace and Beatrice Foods and thought it would be a goldmine for the law office to take on the case. Anderson told Jan that she and the other families were not looking for money in this lawsuit.

The families only wanted an apology from the companies and for someone to clean up the area and make sure it would not ever happen again. The drinking water that the town had been drinking was the problem. The water had somehow been contaminated with trichloroethylene and silicon (used to water proof leather). Jan was going to prove in court that W. R. Grace and Beatrice Foods knowingly contaminated the river that was located in Woburn Wells and by contaminating the river it caused twelve people to die from

leukemia. ISSUES: Did the drinking water that was contaminated with Trichloroethylene and silicon, by W.

R. Grace Company and Beatrice Foods, cause the leukemia deaths and other health problems in Woburn, Massachusetts? LAW: Negligence: ?? is a?? legal?? concept in the?? common law?? legal systems mostly applied in tort cases to achieve monetary compensation (damages) for physical and mental injuries Wrongful Death: is a claim in common law jurisdictions against a person who can be held liable for a death DISCUSSION: Big corporations generally only see things with dollar signs. The goal of any corporation is to make the maximum profit that they can while providing a good or service to the community. W. R.

Grace and Beatrice Foods show this statement to be true throughout this whole movie. They are continuously trying to make this " issue" go away by throwing money at the family members, trying to make the suit go away and not fix the real problem. W. R. Grace Company decided that the best place to dump the T. C. E. was in the river behind the plant. This had major effects on everyone that was in close proximity to the river. It got into the drinking water, which was said to have caused 12 deaths, the reason of some miscarriages, and seizures among other health conditions, from what the claims are that is.

The company tried to cover up this kind of thing as much as possible by buying people off. They think that if they give people money for their losses than everything will be alright. For huge corporations dealing with billions of dollars these payoffs are only a drop in the bucket for them. Even a million

dollars to any family is an incredible amount of money and often the money becomes more important than the real issues behind the problem and can't be passed up by a family struggling to get by. The benefits of paying these people for their trouble are much cheaper than doing things the right way in the beginning and protecting their safety.

Well, the families of Woburn Wells wanted no part of the money. They just wanted the problem fixed and an apology from the ones who caused this tragedy. Jan Schlichtmann initially didn't want to take the case because he doesn't think that there will be any money in it for him and his firm. Even though he goes and sees how much pain this company has caused to the people in Woburn Wells, he still doesn't care because of the money. Not until he realizes how big the companies are does he take the case. The firm took the case and went to work. The first hearing ruled that Beatrice Foods wasn't to be held accountable, just W. R. Grace Company,

There were many scientific and complex tests that had to be run in order to prove that the water was contaminated by W. R. Grace. This was all at the cost of Schlichtmann's firm. As the case goes on he isn't able to achieve what he ultimately wanted to do because the Grace Company has so much money that they will almost always win. Schlichtmann's firm goes into debt trying to win this case but ultimately has to settle because they can't go on. Schlichtmann ended up settling with W. R. Grace for 8 million dollars. After all debts are paid (all of the equipment that was rented, the Dr. 's that ran the tests, the scientist's, etc. and the fee for Schlichtmann's firm, the families were awarded \$357, 000 per family! This made the families very upset. Not because of the amount of the money, but because when Anne <https://assignbuster.com/a-civil-action-irac-style-format-assignment/>

Anderson initially spoke with Schlichtmann, she had told him that the families weren't interested in the money. All the families ultimately wanted was were apologies, someone to take the blame for the cause of their loved ones deaths, and for the contaminated water and area to be cleaned up so this type of thing were to never happen again. After that final meeting with the families, Jan Schlichtmann and his partners all ended up all going their separate ways.

Schlichtmann had a "come to" one day. He ended up questioning one of the workers of W. R. Grace once again, who told him the whole story regarding the disposal of the chemical waste. He told Schlichtmann how and where they got rid of everything, which was in the river behind the plant. This was negligent on the companies' part. Schlichtmann didn't have the money for the appeal process, so he sent everything he had to another lawyer. This case went on for years. In the end, the EPA (US Environmental Protection Agency) filed a lawsuit against W. R. Grace and the companies agreed to share 69.4 million for cleanup of the area.

**CONCLUSION:** Did the drinking water that was contaminated with Trichloroethylene and silicon, by W. R. Grace Company and Beatrice Foods, cause the leukemia deaths and other health issues in Woburn, Massachusetts? Yes An employee of W. R. Grace was confronted by Jan after the trial was over with, who came clean about the whole cover up. He was told to "get rid" of the barrels that were filled with the toxins, which he did along with several others. They dumped the hundreds of barrels into the river which was one of the main sources of water in the city. There was an autopsy on one of the children's bodies. The Dr. onfirmed that the child died

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from leukemia which was caused by Trichloroethylene. After many scientific tests and many years in the courtroom, both W. R. Grace and Beatrice Foods were found guilty for the contamination of the river in Woburn Wells, which was linked to the drinking water and the cause of the leukemia deaths. This toxin, T. C. E. , was found to be in the drinking water of the city, and was digested by the children on a regular basis. The wrongful deaths of the 12 individuals in the city lay in the hands of both W. R. Grace and Beatrice Foods. It was their duty of care to dispose of the chemicals in an appropriate manner.