

SPECIAL REPORT

LARGEST MICHIGAN JURY VERDICTS AND SETTLEMENTS OVER \$1,000,000

20-YEAR VERDICT SUMMARY (3 Pages)

Top 3 Judgments for Each of 7 Categories for Years 1998-2017

(Updated 01/02/2018)

SEE ATTACHED DESCRIPTION OF CASES LISTED BELOW

 (or contact your Producer for complete 106-page Verdict Report which includes all Michigan cases over \$1,000,000)

| YEAR: | 2017 | 2016 | 2015 | 2014 | 2013 | 2012 | 2011 | 2010 | 2009 | 2008 |
|-------------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------------------|----------------------------------------------|----------------------------------------------|---------------------------------------------|---------------------------------------------|---------------------------------------------|-------------------------------------------|----------------------------------------------|--------------------------------------------|
| # of Cases \$1,000,000 and above: | 10 | 46 | 50 | 39 | 49 | 46 | 30 | 28 | 34 | 24 |
| <u>LARGEST CASES, By Year:</u> | | | | | | | | | | |
| 1. AUTO LIABILITY (i.e., Auto accidents) | \$9,500,000 \$5,300,000 \$3,000,000 | \$15,000,000 \$10,700,000 \$6,500,000 | \$16,000,000 \$14,450,683 \$11,900,000 | \$17,810,434 \$11,500,000 \$2,843,355 | \$7,000,000 \$4,550,000 \$4,000,000 | \$6,100,000 \$3,736,458 \$3,450,000 | \$3,420,000 \$3,250,000 \$3,075,000 | \$6,291,666 \$6,000,000 \$3,500,000 | \$4,000,000 \$3,400,000 \$3,000,000 | \$5,650,000 \$3,900,000 \$3,225,000 |
| 2. EMPLOYMENT PRACTICES (i.e., Discrimination, harassment) | \$6,550,000 | - - - | \$16,500,000 \$2,200,000 \$1,767,500 | \$2,836,000 \$1,350,000 \$1,251,169 | \$5,528,156 \$1,900,000 \$1,500,000 | \$4,590,000 \$4,500,000 \$3,420,000 | \$12,500,000 \$11,300,000 \$2,300,000 | \$7,900,000 \$650,000 - | \$4,388,300 \$4,229,500 \$1,813,293 | \$3,700,000 - - |
| 3. PRODUCTS LIABILITY (i.e., Recalls / defects) | | - - - | \$16,000,000 \$1,000,000 - | \$12,000,000 - - | \$1,080,000 \$1,000,000 - | \$2,075,000 - - | - - - | \$2,835,000 \$850,000 - | \$47,680,000 \$2,226,000 - | \$2,700,000 - - |
| 4. BUS. PREMISES/OPERATIONS (i.e., Slips & falls or other injury arising out of operations) | \$5,009,269 | \$4,140,000 \$2,070,000 \$2,000,000 | \$100,000,000 \$7,284,545 \$5,080,000 | \$3,500,000 \$2,836,000 \$1,650,000 | \$9,500,000 \$7,500,000 \$3,000,000 | \$7,500,000 \$4,250,000 \$3,260,000 | \$6,000,000 \$2,350,000 \$2,050,000 | \$2,500,000 \$2,300,000 - | \$1,000,000 \$890,000 \$700,000 | \$21,000,000 \$4,500,000 \$2,500,000 |
| 5. POLLUTION (i.e., Sewers, odors, mold) | | - - - | \$1,350,000 - - | - - - | \$5,147,500 \$3,000,000 \$483,195 | - - - | - - - | \$9,154,000 - - | \$18,760,000 \$1,900,000 - | \$13,210,000 \$4,450,000 \$3,600,000 |
| 6. MANAGEMENT PRACTICES (i.e., Breach, fraud, copyrights) | \$1,250,000 | \$44,500,000 \$2,252,306 \$1,572,626 | \$15,200,000 \$5,665,565 \$5,300,000 | \$26,525,000 \$11,500,000 \$10,355,011 | \$70,000,000 \$10,000,000 \$7,450,000 | \$22,500,000 \$13,000,000 \$6,987,688 | \$2,300,000 \$2,010,982 \$1,015,152 | \$12,262,500 - - | \$500,000,000 \$10,800,000 \$6,100,000 | \$3,140,216 \$3,014,339 \$2,600,000 |
| 7. CONSTRUCTION (i.e., Injuries at job sites) | | - - - | \$2,610,000 \$1,560,000 - | \$4,626,355 \$2,500,000 \$1,508,953 | \$900,000 - - | \$1,920,126 - - | \$2,050,000 \$1,450,000 - | \$2,835,000 \$2,250,000 - | \$2,125,000 \$1,747,000 \$1,000,000 | \$1,625,000 - - |

LARGEST MICHIGAN JURY VERDICTS AND SETTLEMENTS 20-YEAR VERDICT SUMMARY

(as of 01/02/2018)

Top 3 Judgments for Each of 7 Categories for Years 1998-2017

(Years 1998 - 2007)

| YEAR: | 2007 | 2006 | 2005 | 2004 | 2003 | 2002 | 2001 | 2000 | 1999 | 1998 |
|-------------------------------------------------------------------------------------------------------|-------------------------------------------|--------------------------------------------|---------------------------------------------|-------------------------------------------|--------------------------------------------|-------------------------------------------|-------------------------------------------|-------------------------------------------|----------------------------------------------|-------------------------------------------|
| # of Cases \$1,000,000 and above: | 26 | 29 | 25 | 27 | 21 | 23 | 31 | 29 | 36 | 32 |
| LARGEST CASES, By Year: | | | | | | | | | | |
| 1. AUTO LIABILITY (i.e., Auto accidents) | \$3,100,000 \$3,000,000 \$2,550,000 | \$6,800,000 \$4,000,000 \$2,300,000 | \$57,700,000 \$25,000,000 \$9,000,000 | \$9,000,000 \$3,800,000 \$3,500,000 | \$16,000,000 \$5,175,000 \$3,325,000 | \$6,500,000 \$5,000,000 \$5,000,000 | \$5,000,000 \$3,000,000 \$2,500,000 | \$6,500,000 \$1,623,550 - | \$5,552,000 \$4,420,000 \$4,250,000 | \$3,750,000 \$3,000,000 \$2,900,000 |
| 2. EMPLOYMENT PRACTICES (i.e., Discrimination, harassment) | \$2,611,720 \$2,100,000 - | \$2,995,000 \$2,439,391 - | \$10,600,000 \$1,400,000 - | \$5,000,000 \$4,140,000 \$3,074,000 | \$6,200,000 - - | \$10,600,000 - - | \$2,700,000 - - | \$7,160,000 \$5,500,000 \$4,897,100 | \$45,000,000 \$33,000,000 \$21,000,000 | \$2,000,000 \$1,500,000 \$1,250,000 |
| 3. PRODUCTS LIABILITY (i.e., Recalls / defects) | - - - | \$3,400,000 \$1,900,000 - | \$1,550,000 \$1,270,000 - | \$1,200,000 - - | \$1,000,000 - - | - - - | - - - | \$5,024,537 \$1,651,000 \$1,002,331 | \$4,120,000 \$3,000,000 \$2,500,000 | \$6,200,000 \$2,360,000 \$1,775,000 |
| 4. BUS. PREMISES/OPERATIONS (i.e., Slips & falls or other injury arising out of operations) | \$3,800,000 \$1,500,000 - | \$14,100,000 \$5,200,000 \$2,000,000 | \$3,000,000 \$1,260,000 \$1,200,000 | - - - | \$3,900,000 \$2,000,000 \$1,490,000 | \$1,675,000 \$1,200,000 \$1,075,000 | \$7,150,000 \$2,632,000 \$2,300,000 | \$8,500,000 \$7,940,000 \$1,549,270 | \$1,400,000 \$1,290,000 \$920,000 | \$1,735,000 \$1,175,000 \$1,150,000 |
| 5. POLLUTION (i.e., Sewers, odors, mold) | \$1,800,000 - - | \$1,200,000 - - | \$925,000 - - | - - - | - - - | - - - | \$12,000,000 - - | \$1,500,000 - - | \$1,200,000 - - | \$3,800,000 \$1,580,000 - |
| 6. MANAGEMENT PRACTICES (i.e., Breach, fraud, copyrights) | \$7,610,000 - - | \$3,100,000 \$1,150,000 \$1,100,000 | - - - | - - - | \$30,200,000 - - | - - - | \$16,637,567 \$2,700,000 - | \$2,400,000 \$2,000,000 - | - - - | \$3,200,000 - - |
| 7. CONSTRUCTION (i.e., Injuries at job sites) | - - - | \$1,175,000 - - | \$1,200,000 - - | \$8,100,000 \$5,500,000 \$1,500,000 | \$1,925,000 - - | \$2,200,000 \$1,300,000 - | \$1,091,979 - - | \$23,000,000 - - | \$2,350,000 \$2,000,000 \$1,800,000 | \$1,590,000 - - |

| FACTS | | |
|---------------------------------------|---------------|-------------------------------|
| Years Studied: | 20 | Total \$1M+ Cases: 635 |
| Highest Judgments | | |
| Auto | \$57,700,000 | (2005) |
| Employment Practices | \$45,000,000 | (1999) |
| Products Liability | \$47,680,000 | (2009) |
| Premises | \$100,000,000 | (2015) |
| Pollution | \$18,760,000 | (2009) |
| Management Practices (D&O) | \$500,000,000 | (2009) |
| Construction | \$23,000,000 | (2000) |

SUMMARY OF AUTOMOBILE LIMITS OF INSURANCE OVER THE PAST 20 YEARS

In looking at the adequacy of your likely greatest exposure, "AUTOMOBILE," in how many years out of the past 20 years would your primary AUTO AND UMBRELLA LIABILITY have been sufficient for the following limits?

| Your Total Liability Limit | # of Years with Sufficient Limits | Which Years, Out of the Past 20 years, Did You Have Adequate Limits for ALL 359 Michigan <u>AUTO</u> Cases Over \$1M (1998-2017): |
|----------------------------|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| \$1,000,000 | 0 years | -- |
| \$2,000,000 | 0 years | -- |
| \$3,000,000 | 0 years | -- |
| \$4,000,000 | 2 years | 2007, 2009 |
| \$5,000,000 | 2 years | 2007, 2009 |
| \$6,000,000 | 2 years | 2007, 2009 |
| \$7,000,000 | 9 years | 2000, 2001, 2006, 2007, 2009, 2010, 2011, 2012, 2013 |
| \$8,000,000 | 9 years | 2000, 2001, 2006, 2007, 2009, 2010, 2011, 2012, 2013 |
| \$9,000,000 | 11 years | 2000, 2001, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013 |
| \$10,000,000 | 13 years | 1998, 2000, 2001, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2017 |
| \$11,000,000 | 13 years | 1998, 2000, 2001, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2017 |
| \$12,000,000 | 14 years | 1998, 2000, 2001, 2002, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2017 |
| \$13,000,000 | 14 years | 1998, 2000, 2001, 2002, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2017 |
| \$14,000,000 | 14 years | 1998, 2000, 2001, 2002, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2017 |
| \$15,000,000 | 15 years | 1998, 2000, 2001, 2002, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2016, 2017 |
| \$16,000,000 | 17 years | 1998, 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2015, 2016, 2017 |
| \$17,000,000 | 17 years | 1998, 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2015, 2016, 2017 |
| \$18,000,000 | 18 years | 1998, 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017 |
| \$19,000,000 | 18 years | 1998, 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017 |
| \$20,000,000 | 18 years | 1998, 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017 |
| \$21,000,000 | 18 years | 1998, 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017 |
| \$22,000,000 | 18 years | 1998, 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017 |
| \$23,000,000 | 18 years | 1998, 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017 |
| \$24,000,000 | 18 years | 1998, 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017 |
| \$25,000,000 | 18 years | 1998, 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017 |

NOTE: In 2 out of the last 20 years, the insured would not have had enough Auto Insurance if their Liability Limit had only been \$25,000,000. The amounts needed in those two years: 1999, \$31M; 2005, \$58M.

(Descriptions of the individual cases are available in our 106-page Verdict Report upon your request.)