

Phil Beck Wins Jury Verdict For DuPont in Benlate® Case

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Bartlit Beck attorneys Phil Beck, Jason Peltz, Karma Giulianelli and Jill Trumbull-Harris represented DuPont in the largest Benlate® case to go to trial. TicoFrut, the main citrus grower and processor in Costa Rica, sued DuPont claiming that Benlate® hurt the production of orange trees in Costa Rica. TicoFrut sought \$172 million in compensatory damages and an undisclosed amount of punitive damages.

Trial lasted six weeks in Miami-Dade County Court. The jury deliberated for five hours before returning a verdict for DuPont, finding no liability.

From The Miami Herald, "Jury Clears DuPont," March 19, 2005:

"DuPont Co. (DD), the No. 2 U.S. chemical maker, didn't damage a Costa Rican company's orange trees with its Benlate® fungicide, a Miami jury said Friday. The Miami-Dade Circuit Court jury rejected TicoFrut SA's claims that Benlate DF® damaged 900,000 trees between 1990 and 1992. TicoFrut, one of the largest orange juice producers in Central America, sued DuPont in 1999 and had sought \$172.1 million in damages as well as unstated punitive damages. The suit was one of hundreds to focus on Wilmington, Del.-based DuPont's handling of Benlate®, which the company stopped selling in 2002. The company has paid more than \$1.9 billion in damage awards, settlements and other costs tied to Benlate®, according to a November 2004 filing with the Securities and Exchange Commission."