

# *The “Hot Coffee Case”—The True Story--Part Three*

If you read last week's article, you can begin to see that the Stella Liebeck case (“hot coffee case”) was not a frivolous case with little or no injuries. The coffee that



*Philip A. Stroud,  
Local Attorney*

spilled into Ms. Liebeck's lap that resulted in third degree burns and surgical skin grafting was being served at a temperature that according to McDonald's own quality assurance manager was not “fit for consumption”. Furthermore it was some 50-60 degrees hotter than the coffee brewed in the average American home. The question is “Why did McDonald's brew and serve such hot coffee?” Have you not heard this from the media? Why not?

The rest of the story: McDonald's asserted that customers buy coffee on their way to work or home, intending to consume it there. However, the company's own research showed that customers intend to consume the coffee immediately while driving. McDonald's also argued that consumers know coffee is hot and that its customers want it that way. However, the company admitted its customers were unaware that they could suffer third-degree burns from the coffee and that a statement on the side of the cup was not a “warning” but a “reminder” since the location of the writing would not warn customers of the hazard. In fact, the testimony of a McDonald's executive demonstrated that the company knew its coffee sometimes caused serious burns, but they hadn't consulted burn experts about it. This same executive further testified that McDonald's didn't intend to change any of its coffee policies or procedures, saying “There are more serious dangers in the restaurants”.

At the beginning of the trial, the jury foreman Jerry Goens was quoted as saying that he “wasn't convinced as to why I needed to be there to settle a coffee spill”. By the end of the trial, Betty Farnham (another juror) was quoted as saying “The facts were so overwhelmingly against the company. They were not taking care of their customers.”

**STROUD & HARPER, P.C.**

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662 536-5656

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