



Appeal court judges berate Exxon Mobil over contamination

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NEW ORLEANS - A panel of appeals court judges berated Exxon Mobil Corp., refusing to rehear a pollution case in which the judges had already lowered a \$1 billion verdict against the oil company to about \$219 million.

The state 4th Circuit Court of Appeal stated that the oil company exhibited "callous, calculated, despicable and reprehensible conduct" in allegedly ignoring radioactive contamination left behind on land leased to an Exxon contractor, ITCO, which specialized in pipe cleaning and storage.

Exxon Mobil has said the award was "unjustified" and Houston-based spokeswoman Susan Reeves added Tuesday that the company intends to ask the state Supreme Court to hear another appeal.

Lawyers for the affected landowner, retired Judge Joseph Grefer of Harvey, said Tuesday that they hope Exxon will pay up soon because Grefer already has begun spending money on the property and has begun accepting bids from local firms that specialize in environmental cleanup.

"The judge (Grefer) has been cleaning up and intends to complete the cleanup," lead plaintiff's attorney Stuart Smith said. "We want local contractors to know this. This project will have a significant economic impact on the area and payment of the judgment will result in significant tax remuneration to both the state and federal government" because punitive damages are taxable.

Of the \$219 million award, plus interest since the initial verdict in 2001, about \$56 million is regarded as compensatory damages meant to cover the cost of the cleanup.

Smith said that if bids come in above \$56 million, Grefer likely would use money from the remaining punitive damage award to pay the difference.

Already, Smith said, the Grefer family has paid to place 6,000 cubic feet of contaminated soil into 900 barrels.

The lawsuit was over contamination on about 33 acres of land the Grefers leased to ITCO