

McDonald's Coffee Case – Myth v. Facts

The facts surrounding the McDonald's Coffee case often are grossly distorted by the media and special interest groups that are determined to deny the U.S. Constitution's 7th amendment right to trial by jury, paint our courts in a negative light, and perpetuate the myth of frivolous lawsuits. Our civil justice system holds wrongdoers accountable when they put consumers in danger, as McDonald's did by serving coffee so scalding hot it could produce third-degree burns if spilled on unsuspecting customers.

- Mrs. Stella Liebeck, 79, was a passenger in a car her grandson was driving. After ordering coffee from the drive thru window, her grandson pulled into a parking space to let his grandmother add cream and sugar to her coffee. Mrs. Liebeck WAS NOT driving the car, and the car was PARKED at the time of the spill.¹
- Mrs. Liebeck was scalded and suffered very deep third-degree burns to her legs and genitals when the cup collapsed. She required multiple surgeries and skin grafts from other parts of her body to address her burns.



- Records from McDonald's showed more than 700 people, including women, children, and elderly citizens, had been burned by its scalding coffee over a 10-year period.²
- McDonald's kept its coffee between 180 and 190 degrees Fahrenheit. At that temperature, severe burns occur within 5 to 7 seconds of contact with skin. It takes a full minute of contact with skin for coffee kept at 135 to 140 degrees, the industry standard, to burn.³
- McDonald's kept its coffee excessively hot to extend the coffee's life. The company's own quality assurance manager testified that coffee served between 180 and 190 degrees was unfit for consumption and will scald the consumer.⁴
- The jury awarded Mrs. Liebeck \$200,000 in compensatory damages and \$2.7 million in punitive damages for the callous conduct of McDonald's – punitive damages equivalent to about two days of profit from McDonald's coffee sales.⁵
- The judge reduced the jury award to \$160,000 for compensatory damages because the jury found Mrs. Liebeck 20 percent at fault for the spill. The punitive award also was reduced to \$480,000, or three times the compensatory damages.
- Contrary to what those who would destroy our civil justice system and deny citizens access to the courts their tax dollars fund, the McDonald's coffee case, in fact, proves the system works.

¹ *Hot Coffee*. Dir. Susan Saladoff. HBO Films, 2011. Film

² Center for Justice & Democracy, "FAQ About The McDonald's Coffee Case And The Use Of Fabricated Anecdotes." <http://centerjd.org/content/faq-about-mcdonald%E2%80%99s-coffee-case-and-use-fabricated-anecdotes>

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*