

Special Offer:
Subscribe to the Monitor and get 32 issues RISK-FREE!



Truly Unlimited Calling.
Anyone in the U.S. One flat rate.
Just \$99⁹⁹ monthly access*
* ACTIVATION, TAXES & OTHER CHARGES APPLY

Learn More

THE CHRISTIAN SCIENCE MONITOR  **csmonitor.com**

WORLD | USA | COMMENTARY | WORK & MONEY | LEARNING | LIVING | SCI/TECH | A & E | TRAVEL | BOOKS | THE HOME FORUM

Home | About Us/Help | Archive | Subscribe | Feedback | Text Edition | Multimedia | Relocation.com Search:



Awaiting verdict: Steve Smith, a Cordova, Alaska, fisherman, saw the local fishing industry decline in the years after the massive 1989 Exxon Valdez oil spill. AL GRILLO/AP

HIGH COURT TO HEAR EXXON VALDEZ DAMAGES CASE

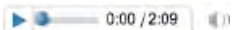
At issue: Should the company pay \$2.5 billion in punitive damages for the 1989 oil spill?

By [Warren Richey](#) | Staff writer of The Christian Science Monitor from the February 27, 2008 edition

[E-mail](#) [Print](#) [Letter to the Editor](#) [Republish](#) [del.icio.us](#) [digg](#)

Page 1 of 2

WASHINGTON - Nineteen years after the tanker Exxon Valdez spilled some 258,000 barrels of oil into the pristine waters of Alaska's Prince William Sound, the debate still rages over how much Exxon should pay beyond the \$3.4 billion it has already spent on cleanup.



Reporter Warren Richey discusses a case before the Supreme Court that examines whether a \$2.5 billion punitive damages award for the 1989 Exxon Valdez spill should stand.

On Wednesday, that question arrives at the US Supreme Court, where the justices must decide whether to uphold a \$2.5 billion punitive-damages judgment against Exxon Shipping. It is said to be the largest punitive damages award ever sustained by a federal appeals court.

The case, Exxon Shipping Co. v. Grant Baker, is being closely followed by shipping executives, environmental activists, oil-industry officials, and commercial fishermen, among others. It has also attracted the attention of scholars monitoring the Supreme Court's emerging jurisprudence on excessive punitive damages.

Lawyers for Exxon offer three main arguments for invalidating the punitive damages.

Under maritime law, Exxon should not be held liable to pay punitive damages for the negligent acts of a tanker captain at sea unless there is evidence that Exxon directed or participated in grounding the tanker, they say.



roxio EASY MEDIA **CREATOR 10 SUITE**

The essential complement to Windows Vista™

BUY NOW

Photos | World | Space



PHOTOS
Photos of the Day
The best photos from March 3, 2008.

Subscribe now and get 32 issues Free!

Award winning journalism on the topics you care about



Click here to subscribe

MOST-VIEWED STORIES
(FOR 03/04/2008)

[Venezuela, Ecuador mass troops on Colombia border](#)
(03/04/2008)

Second, the Clean Water Act establishes a comprehensive regime to punish and deter illegal behavior that pollutes the nation's water resources. But Exxon lawyers say Congress did not include a provision in the act permitting punitive damages.

Third, the lawyers say punitive damages are unnecessary in a situation like the Exxon Valdez cleanup where Exxon has already willingly paid criminal and civil fines, penalties, compensatory damages, cleanup costs, and other expenses.

"The \$3.4 billion Exxon has already paid is enough to deter anyone from anything," writes Washington lawyer Walter Dellinger in his brief to the court on behalf of Exxon Mobil Corp.

Some analysts note that the oil spill was an accident rather than a product of corporate greed. "This is not a case where Exxon was cutting costs to try to increase profits," says Theodore Frank, a legal expert at the American Enterprise Institute in Washington. "Exxon lost money on this. They are not trying to deliberately steer ships aground and lose their oil."

Others say Exxon's massive cleanup expenses are beside the point. The spill caused extensive damage, not only to the fragile environment but also to the lives of Alaskan residents.

RELATED STORIES

[As race for oil-rich Arctic heats up, Inuit stake their claim, too](#)
09/25/2007

[Years later, Valdez's stain remains](#)
06/04/2007

[Archive: State, Federal Claims Against Exxon Settled](#)
10/16/1991

Get Monitor stories by e-mail:

(Your e-mail address will be protected by csmonitor.com's tough [privacy policy](#).)

WORLD



▶▶ New Delhi cleanup sends in the Beggar Raid Teams

BOOKS



▶▶ Tesla: Madly in love with science

USA



▶▶ The vacuum repair guy: an endangered species

[Colombia's cross-border strike on FARC irks neighbors](#)
(03/03/2008)

[On ropes, Clinton works to hold Ohio](#)
(03/03/2008)

[Venezuela, Ecuador mass troops on Colombia border](#)
(03/04/2008)

[Economic woes raise fear of 1970s rerun](#)
(03/03/2008)

Local Business Directory

- 401K Plans
- Accounting
- Advertising & Marketing
- Air Charter
- Air Travel
- Annuities
- Answering Services
- Antivirus / Antispam Solutions

Monitor Services

- Subscribe
- Treeless Edition
- Give a gift subscription
- Free sample issue
- Search the Archives
- Monitor Mall
- Receive our free e-mail newsletters:
- Enter e-mail address
- Your email address

Today's print issue



[Enlarge page one](#)

Love spending time with a good book?

Subscribe to the weekly Books e-Newsletter from CSMonitor.com

Oil Spills and Marinas

SpillRemed cleans up oil spills and restores marine ecosystem
www.sarvabioremed.com

Spill Cleanup

Find Spill Cleanup. Search In Your Local Area Now.
Justclicklocal.com

Oil Skimmers

Manufacturer of oil skimmers for spill response and industrial use
www.drumskimmer.com

Oil Spill Cleanup

New technology remediates spills from hard surfaces, soils & water.
www.tepcoproducts.com

Ads by Google

Sponsored Links

- Apparel**
[T-Shirts Design Online](#)
- Financial**
[Car Insurance](#)
[UBS Canada](#)
- Internet Services**
[Internet Access](#)
- Speakers Bureau**
[Celebrity Speakers Bureau](#)
[Motivational Speakers](#)
- Business Resources**
- Real Estate**

[Business Cards](#)
[Free Business Cards Postcards](#)

Graphic Design
[Logo Design - LogoBee](#)

[International Shipping](#)
[Mortgage Calculator](#)
[Moving](#)
[Moving Companies](#)
[Real Estate](#)
[Toronto Condos](#)

Travel
[Hawaii Vacations](#)
[Trip Atlas - Travel Guide](#)

Education
[Abilene Christian Online](#)
[Student Loans](#)

Home Remodeling
[Home Renovation Guide](#)

Web Services
[Best Web Hosting](#)
[Dedicated Servers](#)
[Email Hosting](#)
[Web Hosting](#)



[Home](#) | [About Us/Help](#) | [Feedback](#) | [Subscribe](#) | [Archive](#) | [Print Edition](#) | [Site Map](#) | [Special Projects](#) | [Corrections](#)
[Contact Us](#) | [Privacy Policy](#) | [Rights & Permissions](#) | [Terms of Service](#) | [Advertise With Us](#) | [Today's Article on Christian Science](#)

www.csmonitor.com | Copyright © 2008 The Christian Science Monitor. All rights reserved.