

KIA FRANKLIN

### The Big Fish are in the Big Court—More on Exxon

Be on the lookout tomorrow for an update on the Supreme Court's hearing of the Exxon Valdez oil spill case, *Exxon Shipping v. Baker*, which originated from the infamous spill that occurred almost two decades ago. The case has dragged on up the appeals process thanks to the Oil Giant Exxon (now Exxon-Mobil), which contests the punitive damages award of \$2.5 billion ("about three weeks of Exxon's current net profits"). That is half the original assessment, which was based upon a finding that Exxon acted recklessly by allowing its ship captain to drive the ship despite a history of alcohol abuse and a recent relapse into alcoholism. While the appeals court cut the punitive damages down it also found that extensive damages were appropriate.

This is a case of corporate irresponsibility and abuse of the legal system at its worst. [The Big Fish](#) can afford to play this litigation game with the regular people whose lives were changed by Exxon's recklessness. And just as waiting three days to start the clean up exacerbated the environmental damage done by the spill, delaying access to justice for the people harmed by the spill has had, and will continue to have, far reaching effects. One tragic consequence of the company's refusal to accept responsibility for its actions is that more than 6,000 of the individuals originally affected by the Alaskan spill [have since passed away](#) and thus will never see justice. But the other 24,000 or so plaintiffs are still waiting. As noted in the New York Times:

But in Alaska, the lawsuit is seen as a test of justice and corporate responsibility, and its resolution is seen as critical to healing the scars left by an epic event that defines the state's modern history, Gov. Sarah Palin (R) said in an interview.

Governor Palin continues with a powerful statement that encapsulates the non-partisan nature of this issue:

"I'm a capitalist, I'm a conservative Republican, I am pro-development and pro-industry," said Palin, who is herself a former

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commercial fisherman once party to the suit. "But consider what Exxon has made in terms of profits in all these years. The American judicial system came down with this judgment, and they've appealed and they've appealed and they've appealed."

Oooh, quite the notable quotable and evidence that it's not about what party you vote with, but rather whether human lives, and the health of our environment, are more or less important than preserving corporate power. What do you think? We'll see what the Supremes say.

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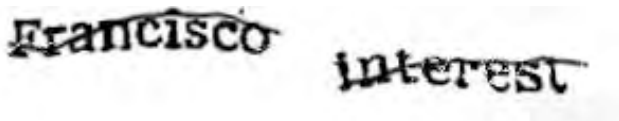
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