

Judgment for Builder Rendered in Mold Bodily Injury Lawsuit

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(Los Angeles, CA) August 31, 2006 – Shea Homes was absolved of any liability for damages that a Stevenson Ranch family alleged had arisen out of mold exposure in their home. Jurors in the closely watched personal injury suit returned a defense verdict for Shea, the nation's largest private home builder, following a three week trial. The family of three claimed a host of bodily injuries from exposure to mold while living in a single family home that Shea had constructed. Although homeowners have asserted many claims for mold-caused damages, few have reached trial and yielded verdicts.

In this case, the Achin family sought in excess of \$20 million (reduced to \$5 million at trial) for various personal injuries. Prior to trial, the court eliminated many of their claims, finding that the general medical community has rejected any link between household mold and injuries other than typical allergic reactions in otherwise healthy people. After trial, the jury returned its verdict that Shea was not negligent, made no misrepresentations of fact and did not cause any harm to plaintiffs. The jury further found that Shea acted reasonably in responding to the family's initial warranty requests, and that the claims asserted were wholly unrelated to any actions of Shea. Several jurors commented post-trial that they thought Shea had done everything it could to work with the Achin family and avoid the litigation that transpired.

After the trial, several jurors expressed doubt with the plaintiffs' claims, and

found their actions to be highly suspicious. "The jurors expressed their doubts that a little mold in a wall cavity could cause the harm that plaintiffs claimed," said defense attorney Dan Berman. Mr. Berman, a founding partner in the Los Angeles office of Wood, Smith, Henning & Berman stated that, "This trial demonstrates that when all testimony comes into evidence, juries are able to separate the hype related to mold claims from reality."

Les Thomas, President of Shea Homes Southern California stated, "We are gratified by the jury's verdict. We would have preferred to have resolved this matter outside the court system, but we are prepared to defend the quality of our construction when necessary."

West Hollywood lawyer Brian Witzer and Daniel Balaban represented the Achin family. Dan Berman and Stacey Blank represented Shea Homes Limited Partnership at trial, along with Patrick Schoenberg during the pre-trial motions.



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