

# LITIGATION WEEK

## Classic-car feud steers jury to \$2.9M award

AN OHIO JURY has awarded \$2.9 million to an artisan who alleged that untruths spoken by a disgruntled client ruined his business.

"When somebody says things that undermines your ability to earn a living, the jury understands that," said plaintiff's counsel John Hill of Akron, Ohio's Scanlon & Gearinger.

At the center of the case is the chassis and engine of a 1911 Mercedes that Dale Adams, an auto restoration specialist, rebuilt into an award-winning car for B. Scott Isquick, a wealthy collector of antique automobiles.

The restoration was begun in 1992. Twenty months and \$500,000 later, with a mahogany body and hitting speeds of 90 mph, the auto became, in the words of one witness, "one of the best-known cars in the world."

Mr. Isquick, however, had numerous complaints even while he was garnering plaudits from collectors in the U.S. and Europe. He ultimately brought a suit against Mr. Adams, alleging negligence.

Mr. Adams retained a private investigator who—posing as a wealthy collector seeking references for Mr. Adams—met with Mr. Isquick and was allegedly told that Mr. Adams overcharged and "is a little crazy," according to



**Glassy chassis:** Dale Adams, an auto restoration specialist, restored B. Scott Isquick's 1911 Mercedes at a cost of \$500,000.

the suit. Mr. Adams brought counterclaims for defamation and business interference. *Isquick v. Adams*, No. CV 97 08 4858, (Com. Pleas, Summit Co., Oh.)

"Ohio courts recognize slander per se, which includes statements that undermine a person's business reputation," said Mr. Hill. "There are only a tiny number of people who can afford the hobby of restoring antique cars, so reputation is everything."

The jury recently awarded Mr. Adams \$2.5 million for

defamation and \$400,000 for business interference.

Mr. Isquick's attorney, Paul M. Kaufman, of the Law Offices of Paul M. Kaufman of Cleveland, Ohio declined to comment. Mr. Hill said jurors appear to be increasingly sympathetic to plaintiffs in employment cases, but less so to pain and suffering in personal injury cases.

"I am not trying to read this case into a trend but we talk about this a lot at our meetings," he said. "The routine wrongful-termination case has good prospects for recovery, while in the routine personal injury case you'll have your medical expenses paid, but often that's it."

—PETER PAGE