MtBE Jury Verdict

Attorney General Michael A. Delaney and Commissioner Thomas S. Burack announced today the jury verdict of $236 million in the MtBE litigation brought by the State of New Hampshire against ExxonMobil. The trial, lasting approximately three months, was the longest civil trial ever presented to a Merrimack County jury. The jury took less than two hours to reach its verdict.

"By its verdict, the jury validated what we knew - Exxon was aware of the risks of manufacturing MtBE gasoline, but went ahead and added MtBE to New Hampshire's gasoline," said Attorney General Delaney. The jurors flatly rejected ExxonMobil's attempt to blame the State for the groundwater contamination.

In the trial which began on January 14, 2013, the State of New Hampshire was seeking clean up costs relating to the contamination of New Hampshire's drinking water with MtBE - a gasoline additive classified by the Environmental Protection Agency as a "possible human carcinogen" that was banned in New Hampshire in 2007. The State sued to hold ExxonMobil responsible for its share of the clean-up costs, based on the fact that the company supplied over 2.7 billion gallons of MTBE gasoline into New Hampshire, which accounts for nearly thirty percent of the state's gasoline market.

Prior to the jury's verdict, 15 other petroleum manufacturers sued by the State settled claims against them for $136 million.

Attorney General Delaney said, "Twelve citizens of the State of New Hampshire heard the evidence against ExxonMobil, and quickly returned their verdict." Attorney General Delaney reported that his office will now work with the Department of Environmental Services to develop a plan to investigate contaminated sites and clean up New Hampshire's groundwater.

Attorney General Delaney expressed his appreciation for the jurors' dedication and personal sacrifice. Attorney General Delaney also expressed his thanks for the countless hours of work put into the case by the staff at the Department of Environmental Services, lead trial counsel Jessica Grant and her law firm, Sher Leff, attorneys from the Attorney General's Office led by Assistant Attorney General Mary Maloney, and the Matthew Pawa Law Firm. Finally, he extended his gratitude to Judge Peter Fauver for coming out of retirement to preside over the case.