

**November 18, 2010**

**CALHOUN COUNTY JURY AWARDS COMBINED \$4.5 MILLION IN CASE AGAINST  
DEVI, LLC STEMMING FROM HOT TUB CONTAMINATION**

On Thursday, a Calhoun County jury awarded a combined \$4,500,000 judgment in a case stemming from hot tub contamination that led to the contraction of Legionnaire's disease. The trial, which took place before Calhoun County Circuit Judge Malcolm Street, Jr., began November 15<sup>th</sup> and lasted four days. Representing the Plaintiffs were Morris, Haynes & Hornsby attorneys Larry Morris and Todd Wheelles. The jury in this case took only approximately 50 minutes to return a verdict.

The lawsuit, originally filed June 18, 2009 in Calhoun County Circuit Court against DEVI, LLC., who owns and operates two hotels in Oxford, Alabama, arose from an incident involving a hot tub contaminated with Legionella bacteria. The incident occurred in May of 2008 at the Wingate Inn in the Anniston/Oxford area of Alabama. The Plaintiffs were sent by their employer, the Jefferson County Commission, to Heflin, Alabama to assist with a debris removal project following a tornado in the area and were staying at the Wingate Inn during this project. While staying at the Wingate Inn, the men used the hotel's hot tub which is provided for use to hotel guests.

As a result of the use of this hot tub, both men developed Legionnaire's disease and had to be hospitalized. Legionnaire's disease is an acute pneumonia caused by the Legionella bacteria that can exist in dirty or stagnant water. Legionnaire's disease can first present itself with flu-like symptoms, but these symptoms can get increasingly worse and eventually be fatal. Both Plaintiffs were hospitalized in Intensive Care Units where they were placed on respirators.

“Citizens of the State of Alabama should feel safe and secure in using the recreational facilities provided by a hotel,” Plaintiffs’ attorney, Todd Wheelles, said. “The Plaintiffs are hopeful that this verdict will result in more responsible management and maintenance of hotel recreational facilities in Alabama.”

For further information please contact Todd Wheelles at (205) 324-4008.