Recent Developments Regarding Compensatory Damages

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PHILIP DURST
DEATS DURST & OWEN, P.L.L.C.
707 WEST 34TH ST.
AUSTIN, TEXAS 78705



3 Basic Types of Compensatory Damages

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- (1) Time losses. The plaintiff can recover lost wages or the value of any lost time or earning capacity where injuries prevent work.
- (2) Expenses incurred by reason of the injury. These are usually medical expenses and kindred items.
- (3) Pain and suffering in its various forms, including emotional distress and consciousness of loss.

- *Waste Mgmt. of Texas, Inc. v. Texas Disposal Sys. Landfill, Inc., 12-0522, 2014 WL 1875637 (Tex. May 9, 2014), citing:* 2 Dobbs, Law of Remedies § 8.1(1) (footnotes omitted).

Parkway Co. v. Woodruff, 901 S.W.2d 434, 444 (Tex. 1995)

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[A]n award of mental anguish damages will survive a legal sufficiency challenge when the plaintiffs have introduced direct evidence of the nature, duration, and severity of their mental anguish, thus establishing a substantial disruption in the plaintiffs' daily routine.

*Parkway Co. v. Woodruff: The **Husband's** Testimony ($85K)*

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"I was hot. I was very disturbed about that, and called him and said, "I would like to sell you a house. I think you have just flooded my property, I think you have messed up my house."

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First appeared as part of the conference materials for the
29th Annual Conference on State and Federal Appeals session
"Compensatory Damages on Appeal"