



Portfolio Media, Inc. | 111 West 19th Street, 5th floor | New York, NY 10011 | www.law360.com
Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | customerservice@law360.com

Wash. Jury Awards \$2.5M To Family In Kratom Death Suit

By **Jonathan Capriel**

Law360 (July 20, 2023, 6:36 PM EDT) -- A Washington jury has awarded \$2.5 million to the family of a man who died after consuming a kratom-infused tea, the first verdict in a civil case brought on behalf of a person killed by kratom, counsel for the family announced.

The jury found that Society Botanicals LLC, which does business as Kratom Divine, and its owner Wendianne Rook created an unreasonably dangerous product and negligently labeled it. The verdict, submitted Tuesday, determined their actions caused 39-year-old Patrick Coyne's death.

There have been a number of suits seeking to hold kratom sellers and manufacturers liable for injuries sustained by consumers, but seemingly none of them have made it to trial, said Talis Abolins attorney at MCTLaw, the firm that represented the Coyne family.

"To our knowledge, this is the first jury verdict in a civil case brought on behalf of a person injured or killed by kratom," Abolins said. "We also obtained the first court judgment that a kratom label was inadequate due to lack of warnings. We look forward to repeating this result in our other cases."

The jury awarded \$900,000 to Coyne's widow, Sybil, and \$500,000 to his two minor children in non-economic damages. The jury also awarded \$1.1 million in economic damages.

The verdict said Society Botanicals and its owner had violated the state's Consumer Protection Act. Counsel for the family said they will also be asking the court to force the defendants to pay attorney fees, as permitted under the law.

Aside from chronic back pain, Patrick Coyne was an otherwise healthy man who worked as a chief boat mechanic at a marina in Portland, Oregon, according to the lawsuit. About two years before his death, he began consuming a product called Maenga Da, a kratom-infused product produced by Rook's company. By the summer of 2020, he was consuming Maenga Da several times a day at home and work.

A week after Father's Day 2020, the family had purchased a motorcycle for Coyne, according to the amended complaint. One day before he took the bike on the road, Coyne sat in his reclining chair to watch television and apparently consumed some of the Society Botanicals kratom product.

On June 28, 2020, his wife found him unconscious on the recliner but did not bother him, assuming he was asleep. It wasn't until later that day that his then 10-year-old son noticed he wasn't breathing. Despite efforts by the family and later first responders to resuscitate, Coyne was pronounced dead. A package of Maenga Da was found beside him.

Before going into trial, the family secured in February a summary judgment ruling that found Society Botanicals had not included adequate warnings or provided sufficient instructions on the product's packaging.

Counsel for Society Botanicals did not immediately respond to a request for comment.

The Coyne family was represented by Talis M. Abolins and Michael J. Cowgill of MCTLaw.

Rook and Society Botanicals were represented by Steve Leatham of Heurlin Potter Jahn Leatham &

Holtmann PS.

The case is Sybil Coyne individually and as personal representative of the estate of Patrick Coyne v. Wendianne Rook et al., case number 20-2-00874-08, the Superior Court for Cowlitz County, Washington State.

--Editing by Philip Shea.

All Content © 2003-2023, Portfolio Media, Inc.