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Ereck Plancher trial: Jury finds UCFAA negligent in Plancher's death

July 01, 2011 | By Iliana Limón | Orlando Sentinel

A jury ruled the UCF Athletics Association was negligent in the 2008 death of football player Ereck Plancher and awarded his parents \$10 million.

The group spent about five hours deliberating Thursday night, the 14th day of the Plancher wrongful death trial.

Attorneys representing UCFAA and Plancher's family completed closing arguments Thursday afternoon. The six jurors began deliberation at about 5:30 p.m. Once the group determined UCFAA was negligent and failed to do everything possible to save Plancher's life, it entered the amount of damages it believed should be awarded to Enock and Gisele Plancher, Ereck Plancher's parents. The total was \$5 million apiece.

The jury then decided there was no "clear and convincing evidence" UCFAA was liable for gross negligence and determined it should not face punitive damages.

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"If there's one message that we have sent very loudly and clearly, the welfare of any student athlete is at the top of any football program," Plancher family attorney Steve Yerrid said. "And that's how to have a winning program."

The Planchers declined to speak immediately after the verdict, allowing Yerrid to make a statement on their behalf.

UCF spokesman Grant Heston said the football program continues to mourn Plancher's death, but UCFAA will appeal the decision.

"We believe the appeals court will side with us," he said. "We feel that from pretrial rulings to ruling during the trial that there's an ample of appeal opportunity and we strongly believe that this will be a quick process because it's very clear that this was the wrong decision."

Heston stated the jury's decision not to award punitive damages "shows what we have in place works" and the school continues to do everything possible to protect its athletes.

Before the jury began deliberation, both sides presented their closing arguments.

Yerrid told jurors during his closing argument the UCF Athletics Association failed to follow its own policies and do everything possible to save Plancher's life.

"I talked with you about all the pieces of the puzzle and hopefully you have all the pieces of the puzzle to put this story together," Yerrid said.

UCFAA attorney Kevin Taylor countered there is "no evidence based proof" sickle cell trait caused death.

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