Hollingsworth LLP
Litigation Matters.®

Products Liability & Toxic Torts

We deliver a science-based approach, demonstrated expertise, and reputation for excellence in handling products liability and toxic tort cases.

Widely recognized as one of the country's leading products liability and toxic torts defense firms, Hollingsworth LLP is regularly engaged at the forefront of critical litigation and "bet the company" cases. Representing clients from a broad range of industries, we were the first firm tapped by Monsanto/Bayer to defend its national Roundup litigation, including defending the first trial. We have also had substantial successes on their behalf in establishing the scientific parameters of the expert debate in the MDL and state consolidated litigation, in identifying and cultivating expert witnesses of international reputation, and in winning cases through litigation.

Demonstrating our expertise in trying such cases on behalf of manufacturers, suppliers, contractors, premises owners, waste generators, and other corporations, we appear in federal, state, and administrative tribunals, and have represented our clients in some of the leading appeals court cases involving toxics and products issues.

As national trial counsel for the defense of such cases involving serial litigation and cases consolidated in federal MDLs or state equivalents of MDLs, and in partnership with our national network of local counsel and experts, we have advanced our clients' most sophisticated and technical defenses into all parts of the country.

DIVERSE, SIGNIFICANT REPRESENTATIONS

On the leading-edge of developments and trends in products liability and toxics law, we defend individual lawsuits, serial litigations, mass tort claims, and class actions alleging numerous personal injuries, property damage, and economic harm in connection with consumer product design, manufacture, and warnings; occupational or consumer exposure to allegedly toxic substances such as pesticides; and contamination from chemical, radioactive, and other hazardous substances. As a litigation-focused firm, we handle cases from the earliest pre-trial and investigative stages (including concurrent federal and/or state agency administrative, civil, and criminal investigations) through trial and resolution on appeal. As trials loom, we also have been engaged as lead counsel to take over from other firms and try critical or high-stakes cases.

Typical cases involve consumer products, alcohol, petroleum products and by-products, pesticides, solvents, detergents, radioactive materials, herbicides, asbestos-containing products, hazardous wastes, military hardware, "sick buildings," various chemicals and chemical products, and their feedstocks and intermediates. (For more information related to our specialized work with pharmaceutical products and medical devices, see our Pharmaceutical Products & Medical Devices practice description.) These cases also regularly include novel or emerging plaintiffs' theories in

areas such as medical monitoring, second- or third-generation injury claims, synergistic interactions, hazardous substance migration, and disease "syndromes," and frequently involve class action claims.

Working closely with world-class experts, we defend with a strongly science-based motions and trial practice, especially where plaintiffs allege that an occupational, environmental, or residential exposure (from air, property or groundwater contamination) caused chronic disease or sub-clinical injury. Having litigated several of the most significant pre- and post-Daubert toxics cases, we are relentless in our attack on junk science proponents who are willing to associate injury with exposure even to minuscule amounts of alleged toxins. Beginning with our successful trial defense of some of the earliest litigated toxic tort cases, we have developed considerable expertise and been particularly successful against plaintiffs alleging chemical carcinogenicity, leukemogenicity, immunosuppression, and other latent toxicities.

LITIGATION PLANNING AND ASSOCIATED REGULATORY COUNSELING
In an effort to minimize products liability and toxic tort exposure, we guide our clients in the following ways:

- proactively help our clients develop on-point business strategies
- track cases of interest for our clients' *amicus curiae* participation, as well as draft and coordinate *amicus curiae* filings on their behalf
- work with clients to ensure worldwide insurance coverage and develop worldwide record retention programs
- screen product bulletins, labeling, distribution agreements, and media releases
- help clients confront national product recalls and corrective action programs, product boycotts, product bans, product modifications, and major published critiques

Our toxics and products liability work also involves the presentation of our clients' positions at U.S. Congressional and state legislative proceedings and related counseling on pending and threatened legislation. This work includes alleged toxic exposures associated with the performance of government contracts—for example, alleged exposures to asbestos-containing products, pesticides and defoliants (Agent Orange) arising out of war contracts and alleged exposures to medical sterilants at a federal hospital—and extends into white-collar criminal defense.

FEDERAL AGENCY PROCEEDINGS
We have handled some of the largest matters before the Consumer Product Safety Commission, including successfully representing one of the major manufacturers of plastic pipe vent in connection with a national corrective action program involving mid-efficiency furnaces and boilers that resolved pending enforcement and class actions.

Drawing on our vast and complementary expertise in environmental law, we also have handled extensive proceedings before federal and state agencies including the U.S. Environmental Protection Agency and the U.S. Occupational Safety and Health Administration. As many of our clients are members of heavily regulated industries, we regularly advise them with respect to their dealings with governmental agencies and officials, especially as related to potential or actual tort liability.