MORANREEVESCONN
ATTORNEYS AT LAW

TOXIC TORTS, OCCUPATIONAL & ENVIRONMENTAL EXPOSURE

The attorneys at Moran Reeves Conn have established, national reputations in the defense of claims involving toxic and other environmental exposures.

Our toxic torts experience is as broad as it is varied – our lawyers have handled virtually every type and size of claim arising from the design, manufacture, distribution, sale, use, handling and disposal of hazardous substances. We represent manufacturers, suppliers and distributors in the defense of product liability claims. We represent employers, industrial and commercial premises owners and "industrial consumers" of toxic substances in the defense of premises liability and intentional tort claims.

Our lawyers have litigated, arbitrated and mediated wrongful death and personal injury cases involving cancer, fear of cancer and increased risk of cancer claims; occupational asthma, pneumoconiosis, and other respiratory claims; claims involving neurological disease and injury; emotional and psychological claims; medical monitoring claims; occupational hearing loss and numerous other types of illnesses.

Our clients are also varied. We have represented and continue to represent both the large "target" defendants as well as small "peripheral" defendants, and we pride ourselves in our ability to identify the unique strategic considerations facing each client. Our attorneys have served as national coordinating counsel for several companies in industry-wide, multi-jurisdictional litigation, while many of our clients we represent on a regional or local basis. Because of our reputation, we often are appointed by courts to serve as liaison counsel in high-profile toxic tort cases.

We have expertise in handling claims involving a variety of toxic substances and environmental exposures, including:

- Asbestos
- Silica
- Benzene
- Talc
- Formaldehyde
- Xylene
- Toluene
- Welding Fumes
- Lead
- Occupational Noise

Moran Reeves Conn brings to the table for its toxic tort clients substantial expertise in a variety of areas:

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Coordinating Successful and Cost-Effective Strategies

We recognize that the typical toxic tort defendant is in a "Catch 22" situation: while the cost of defending such a case can be breathtaking, the downside of inadequately developing an effective trial strategy is the high risk of a run-away verdict. We work with our clients to develop cost-effective defensive strategies by forecasting and budgeting litigation costs, creating streamlined defensive strategies and employing cost-effective litigation support technology. We identify the strengths and weaknesses in a given toxic tort case early on and offer our clients the skill and judgment necessary to determine when claims should be settled and when claims should be tried.

Networking

Our clients have benefited greatly from our extensive national network of defense attorneys, experts and numerous other resources from which we are able to obtain critical information regarding venues, judges, plaintiffs' firms, and other strategic factors.

Discovery Expertise

The majority of toxic tort and occupational exposure claims involve document-intensive work and discovery on a scale unparalleled in any other context. In national or industry-wide litigation, moreover, it is critical to have central coordination of discovery efforts to ensure consistency among discovery answers and trial and deposition testimony of key company witnesses.

Our Toxic Tort Team, in conjunction with its Document Management and Litigation Support group, plays a crucial role in our clients' document and discovery work. We have extensive experience in collecting, organizing and producing our clients' documents on a massive scale, as well as developing document databases to track the history of document collections and productions and privilege logs.

On behalf of a number of our clients, we create and maintain comprehensive databases of discovery answers, deposition and trial testimony and trial exhibit lists. This not only allows us to ensure consistency and track significant developments from jurisdiction to jurisdiction, but results in enormous cost savings for our clients.

Scientific Expertise

Success in a toxic tort cases comes not only from a working knowledge of the highly technical medical and scientific issues, but in simplifying complex issues so that they can be understood by a jury. We have cultivated relationships with some of the nation's leading experts in the medical and scientific communities, including experts in pathology, pulmonology, radiology, oncology, toxicology, industrial hygiene, epidemiology, economists, chemists and materials experts. We also have extensive experience in the use of demonstrative exhibits and in courtroom technology to ensure that the jury understands the complex evidence and to ensure that our client's case is more compelling than the plaintiff's.

On the other side of the coin, we have extensive experience in handling the plaintiff's medical and scientific experts. We have deposed and/or cross-examined at trial most of the leading national experts on the other side, and we have substantial experience in pursuing Daubert motions to

exclude expert testimony in state and federal courts.

Trial Experience

Our attorneys have substantial trial experience in representing clients in state and federal courts across the country.

REPRESENTATIVE CASES

- Serve as National Coordinating Counsel for multi-national product manufacturers in the Agricultural, Construction, and Automotive industries.
- Obtained dismissal of major U.S. roofing materials manufacturer in a benzene case in West Virginia based on lack of evidence of harmful exposure (2024)
- Secured defense verdict for global gasket manufacturer following jury trial in an asbestos-related wrongful death action in the United States District Court for the District of Delaware (2019)
- Won dismissal for lack of personal jurisdiction in favor of a leading multi-national European automotive components manufacturer in California asbestos action (2019)