



## Toxic Torts and Environmental

The diverse services we provide to our clients share a common commitment to excellence in the quality of representation. We provide effective representation that is always cost-efficient and closely tailored to our clients' goals and objectives.

### Toxic and Mass Tort Litigation

We represent numerous manufacturers and suppliers in litigation involving third-party claims for personal injury, medical monitoring and property damage.

### Private and Governmental Cost-Recovery Litigation

We represent clients as PRPs in government-driven Superfund litigation, and as both plaintiffs and defendants in private cost-recovery cleanup actions.

### Regulatory and Compliance Matters

We counsel clients on a wide variety of regulatory and compliance matters that arise in both transactional settings and in day-to-day business operations.

We have had the privilege of litigating — and trying to verdict — some of the most prominent toxic tort and environmental cases over the past thirty years. We consider ourselves trial lawyers, not just litigators. For example, we tried — and won — one of the first medical monitoring trials. We also tried — and won — one of the first stigma property damages trials. We have successfully fought class certification in toxic and mass tort litigation for years.

### ASBESTOS LITIGATION

White and Williams LLP is an acknowledged leader in the asbestos personal injury, property damage and medical monitoring litigation. Our firm has been actively involved in the aggressive management of this difficult litigation since the 1970's on behalf of both individual companies and defense groups such as the Asbestos Claims Facility (Wellington Defendants). We have served in the capacity as national counsel (for Pecora Corporation), as regional counsel (for H.K. Porter Company/Southern Textile Corporation and Porter Hayden Company), and local counsel for multiple clients with diverse interests.

### Related Practices

Appellate  
Catastrophic/Excess Liability  
Class Actions  
Corporate and Securities  
Intellectual Property  
Labor and Employment  
Tax and Estates

### Practice Highlights

- We provide effective representation that is always cost-efficient and closely tailored to our clients' goals and objectives.
- We have had the privilege of litigating — and trying to verdict — some of the most prominent toxic tort and environmental cases.
- We counsel clients on a wide variety of regulatory and compliance matters that arise in both transactional settings and in day-to-day business operations.

Historically, we spearheaded the utilization of case management orders in the Eastern District of Pennsylvania and the Philadelphia County Court of Common Pleas systems for asbestos cases. These efforts resulted in “master” pre-trial pleadings and discovery procedures which have led to increased efficiencies and tremendous monetary savings for our clients.

Presently, our firm serves as the coordinator for the defense medical expert preparation of all of the asbestos personal injury litigation in the Philadelphia area. We administer the defense medical cost-sharing program involving over 70 participants. Our sophisticated computer hardware and software configuration enables us to effectively manage this voluminous litigation.

White and Williams is also unique in the breadth of defense trial experience which it possesses. We know of no other firm that has had over ten partners try asbestos cases to verdict. We are at the forefront of the development of “state of the art” medical defense issues such as the medical evidence supporting the association of simian virus 40 polio vaccine (SV40) in the etiology of human mesothelioma.

#### **MEDICAL MONITORING**

White and Williams LLP is recognized as one of the leading law firms in the country in the defense of medical monitoring claims. We successfully tried the first medical monitoring claims to go to verdict before a jury (In re: Paoli RR Yard PCB Litigation). Our lawyers have written extensively on the subject, including a monograph published by the National Legal Center for the Public Interest. We have lectured on the subject before the American Bar Association, The American Chemistry Counsel and the Defense Research Institute. We have been asked to submit appellate briefs amicus curiae on medical monitoring. Our attorneys are conversant in the medical and scientific principles that underlie medical monitoring claims and have a proven track record of success in attacking plaintiffs’ experts in Daubert and Frye hearings, and developing defense medical monitoring experts from the leading medical institutions in America.

#### **MOLD LITIGATION**

White and Williams provides a broad array of services in this burgeoning area of law. We represent property owners, landlords and managers of office buildings and housing complexes throughout the Mid-Atlantic region in personal injury claims associated with mold exposure. In addition, we handle coverage disputes, first party property damage claims and subrogation matters on a regional and national basis for a number of major insurers.

We staff our mold cases with aggressive and highly successful trial and appellate lawyers who deliver representation of the highest caliber in a cost-effective manner. Our lawyers bring with them to this developing area of practice their experience in handling other toxic tort litigation, construction defect litigation, complex commercial litigation and large-scale insurance coverage matters.

Our lawyers are well versed in the complex and developing medical and scientific state-of-the art so vitally important in this area. We work with leading experts and researchers across the country in the disciplines of immunology, mycotoxicology, industrial hygiene and neuropsychology. Further, we have gained close familiarity with the group of witnesses repeatedly retained by our opponents and routinely prosecute *Daubert* and *Frye*.

## News

Coverage College Celebrates Its 10th Anniversary  
September 22, 2016

White and Williams' Insurance Practice Receives Top Honors  
September 22, 2016

Richard Campbell Joins White and Williams in Boston  
June 7, 2016

Toxic Tort Liability Attorney Joins White and Williams  
January 14, 2014

Goutman Interviewed by Smart Business Magazine Regarding Claim Aggregation Lawsuits  
2006

## Publications

New Jersey Jury Unanimously Finds Johnson & Johnson Not Liable in Latest Talcum Powder-Based Mesothelioma Litigation  
*Toxic Torts and Environmental Alert* | March 29, 2019

Massachusetts Court Holds Statute of Repose Bars Certain Asbestos-Related Construction Claims  
*Product Liability Alert* | March 1, 2019

PA Supreme Court Declines to Consider Constitutional Challenge to Statutory Damages Cap Applicable to Commonwealth Agencies  
*Litigation Alert* | October 25, 2018

PA Supreme Court Dramatically Changes Scope of Qualified Immunity for Government Entities for Torts Related to "Operation of a Motor Vehicle"  
*Litigation Alert* | September 6, 2018

Supreme Court of Pennsylvania to Evaluate Seminal *Roverano* Decision  
*Litigation Alert* | August 20, 2018

\$37 Million Verdict in Talc Mesothelioma Lawsuit Underscores Potential Exposure for Talc Manufacturers and Retailers  
*Product Liability Alert* | April 9, 2018

After Nearly 100 Years, the Frye Standard Still Has Some Teeth  
*Counterpoint* | *Pennsylvania Defense Institute* | January 2018

Pennsylvania's Fair Share Act: Reshaping Apportionment in Strict Liability Cases  
*Litigation Alert* | January 9, 2018

Pennsylvania Superior Court Tightens Requirements for Co-Worker Affidavits in Asbestos Cases  
*Toxic Torts and Environmental Alert* | November 6, 2014

Pennsylvania Supreme Court Overturns Employers' Workers' Compensation Exclusivity in Latent Disease Cases  
*Product Liability Alert* | November 27, 2013

Dismissal of Delaware Asbestos Lawsuit Based Upon Florida's Asbestos and Silica Compensation Fairness Act  
*Product Liability & Toxic Tort Alert* | August 6, 2013

Dr. Frackenstein: Or How I Learned to Stop Worrying and Love the Risk  
*Mealey's Litigation Report: Insurance* | August 22, 2012

Sui Generis: Smoke and Mirrors - How Soot May Be the Next Asbestos  
*Sui Generis* | August 9, 2012

Sui Generis: A Duo of Climate Change Suits Gains Traction Under the Public Trust Doctrine  
*Sui Generis* | July 24, 2012

Sui Generis: Eastern District Upholds Retroactive Date in E&O Policy  
*Sui Generis* | July 10, 2012

Sui Generis: So Much for Global Warming Claims  
*Sui Generis* | April 23, 2012

## **Events**

Finance Forum: Current Lending Issues Regarding Environmental Risks and Limited Guaranties  
Philadelphia, PA | January 26, 2017

Status of the Litigation and Recent Decisions - Filings, Trends, Projections & Pending Legislation in DE, MD and PA and  
Federal Courts  
Mid-Atlantic Asbestos Litigation Conference (Wilmington, DE) | January 24, 2014

Fracking 101: Understanding the Risks and Rewards from this Emerging Energy Source  
Valley Forge Chapter of the Chartered Property and Casualty Underwriters Society | May 8, 2013

Smoke and Mirrors - The Next Asbestos?  
2013 Annual Environmental & Emerging Claim Manager Association Spring Conference | May 3, 2013

Environmental Insurance - Past, Present and Future  
White and Williams Coverage College 2012 | October 4, 2012

Overview of Recent Claims Involving Hydraulic Fracturing  
Environmental and Toxic Tort Committee of the Claims and Litigation Management Alliance | September 11, 2012

### **Cases & Deals**

White and Williams Secures Landmark First Circuit Ruling in Chemical Contamination Case  
December 8, 2017