

General Product Liability

Bartlit Beck represents clients in matters involving product liability in courts across the country. Bartlit Beck handles cases in all industries and disciplines.

Bartlit Beck has won most of the product liability cases it has tried. We have also won other cases on motion and obtained favorable settlements for our clients. Combining our trial expertise with our experience with these types of matters, we are uniquely qualified to represent clients involving product liability matters.

Below are summaries of some of the representative product liability cases we have handled.

Rago, et al. v. Federal Signal Corporation

Represented Federal Signal in five-week jury trial of product liability claims brought by 27 Chicago firefighters. Plaintiffs alleged that Federal Signal sirens caused permanent hearing loss. Jury verdict for Federal Signal on all claims of all plaintiffs.

TicoFrut, S.A., v. E.I. du Pont de Nemours and Company

Product liability case involving DuPont's fungicide Benlate. Plaintiff, Costa Rica's largest citrus operation, sought \$170 million plus punitive damages. Represented DuPont in state court in Miami. Jury verdict for DuPont after seven-week trial.

City of Milwaukee v. NL Industries

Represent NL in jury trial to declare lead paint throughout Milwaukee to be a public nuisance and to hold NL liable for costs of the city's childhood lead poisoning program. NL, the former National Lead Company, was alleged to have been the largest U.S. producer of lead pigment in the 20th century. Complete defense verdict for NL.

In Re Genetically Modified Rice Litigation

National lead trial counsel for Bayer CropScience in multi-district litigation concerning alleged presence of genetically engineered LLRice 601 and LLRice 604 in commercial rice. Class and individual actions pending in six states; MDL consolidated in Eastern District of Missouri.

Tanner v. International Isocyanate Institute, et al.

Represent Bayer MaterialScience as defendant in class action products liability action concerning Methylene Diphenyl Diisocyanate (MDI)-containing products used in underground coal mining applications.

Thomas v. Atlantic Richfield, NL Industries, et al.

Represented NL, and acted as lead counsel for all defendants on issues of history and science, in jury trial seeking damages for a young man's alleged brain damage from eating lead paint as a child. Plaintiff alleged negligent failure to warn of lead paint hazards throughout the period 1900-1970. Complete defense verdict for NL and co-defendants.

State of Rhode Island v. Lead Industries Association

Chief trial counsel for client NL Industries and seven other companies sued by Attorney General of Rhode Island. The AG sought to declare the past sale of lead paint a "public nuisance" throughout the State of Rhode Island. Jury voted 4-2 for the defense when it deadlocked after a two-month trial in August-October 2002. Retrial from October 2005 until February 2006 resulted initially in a deadlock (4-2 for defense) and ultimately a verdict for the State. In July 2008, the Supreme Court of Rhode Island unanimously reversed the trial verdict, requiring complete dismissal of the State's lawsuit.

Super Helechos, et al. v. DuPont

Represented DuPont in 10-week Miami jury trial of product liability claims involving Benlate fungicide. Plaintiffs, 27 Costa Rican farms, claimed \$396 million damages.

Trial court entered directed verdicts for DuPont on all claims of the largest plaintiffs (constituting 60% of plaintiffs' total claimed damages). Jury awarded other plaintiffs a small fraction of amounts sought.

Florida court of appeals (1) affirmed directed verdicts for DuPont on claims of the largest plaintiffs, and (2) reversed all jury verdicts for other plaintiffs due to numerous trial court errors.