

## BARTLIT BECK AND KIRKLAND & ELLIS WIN WISCONSIN'S FIRST LEAD PAINT PERSONAL INJURY CASE



11.2007

### ***Thomas v. Atlantic Richfield Co., NL Industries, et al.***

**Don Scott**, working with close trial colleagues from his former firm, Kirkland & Ellis (DC), won a complete defense verdict for NL Industries and its four co-defendants (Atlantic Richfield, DuPont, Millenium Holdings, and Sherwin Williams). The NL trial team took the leading role before the jury on all common issues. Plaintiff Steven Thomas sued in Milwaukee, Wisconsin County Court for brain damage allegedly caused by eating lead paint as a child. After a five-week trial, the jury returned a defense verdict finding that plaintiff was not harmed by lead paint. Jurors also reported that they did not accept the plaintiff's allegation of negligent failure to warn at a time in early 20th century history when product warnings were rarely used, and when medical knowledge of lead paint hazards was scant by modern standards.

Don led the defense on historical and scientific issues, while Kirkland's Mike Jones led the defense on the plaintiff's alleged brain damage and other injuries.

[Click here for more information.](#)