



Asbestos and Toxic Torts

PRACTICES

OVERVIEW

Asbestos lawsuits continue apace today, regardless of the sufficiency of the alleged exposure or credible causation science. Similarly, the number of toxic tort lawsuits and multi-district/class action litigation alleging personal injuries and environmental claims from exposure to benzene, silica, PFAS, and other substances is increasing as well. The volume and persistence of these toxic tort lawsuits often involve massive risk for the company and require a vigorous and coordinated defense.

For several decades, manufacturers, retailers, distributors, and premises owners have turned to Smith Anderson attorneys to defend against their asbestos, benzene, silica, and toxic tort claims. We regularly serve as primary counsel, national counsel, and/or trial counsel for our clients in such toxic tort cases. As a result, we are among the Southeast's most experienced asbestos and toxic tort lawyers and have successfully litigated such cases in state and federal courts in North Carolina, South Carolina, and other states nationwide. Our team understands the science, or lack thereof, behind these toxic tort cases and is skilled in retaining and working with key national experts through depositions and trial. We also have obtained many key decisions, including dispositive orders, *Daubert* orders, and motion *in limine* orders which help shape the playing field for toxic tort cases. Whether filed as individual claims, class actions, or part of massive multidistrict litigation (MDL), our team is experienced in litigating toxic tort claims for personal injuries, wrongful death, property damage, and environmental contamination in all settings.

Our lawyers hold leadership roles in industry and professional litigation groups such as the Product Liability Advisory Council, American College of Trial Lawyers, International Association of Defense Counsel, Defense Research Institute, North Carolina Association of Defense Attorneys and the American Board of Trial Advocates. Additionally, we are recognized by top ranking publications such as *Benchmark Litigation*, *Best Lawyers in America*®, *Business North Carolina's* Legal Elite and *North Carolina Super Lawyers*.

SERVICES

- Asbestos litigation defense
- Benzene litigation defense
- PFAS litigation defense
- Silica litigation defense
- Environmental and water contamination litigation

EXPERIENCE

- Defense of major automotive manufacturer in asbestos mesothelioma wrongful death lawsuit brought by a national plaintiffs' asbestos firm in South Carolina alleging decedent's exposure to automotive brake and gasket dust. Defense verdict following four week trial.
- Defense of multiple national auto, boiler, railroad car, truck, pump and glove manufacturers in over 400 multi-district federal multi-district and state-filed asbestos suits.
- Defense of global manufacturer in multidistrict litigation (MDL) involving claims of alleged personal injuries, property damage, and environmental contamination from alleged release of PFAS compounds.
- Defense of major automotive manufacturer in asbestos mesothelioma wrongful death lawsuit brought by a national plaintiffs' asbestos firm in federal court in North Carolina alleging decedent's exposure to automotive brake dust. Dismissal on summary judgment following pre-trial *Daubert* order excluding plaintiff's key causation expert.
- Defense of manufacturers of benzene-containing industrial products against claims of wrongful death and personal injury in North Carolina state and federal court.
- Defense of national retailer of wood products in toxic tort litigation involving claims of sino-nasal cancer from exposure to wood dust.
- Defense of a multi-national consumer goods company in Rely tampon - toxic shock syndrome litigation nationwide. Member of the national lead counsel defense team. Specifically responsible for over 200 cases tried, dismissed or resolved in over twenty (20) states in federal and state trial and appellate systems.
- Defense of large residential community water system for over 50 aggregated claims of water contamination.
- Defense of class action suit resulting from plant explosion and ensuing twelve deaths including myriad class action toxic contamination claims.
- Defense of major insurance company for countrywide environmental coverage litigation filed by multi-national chemical company North Carolina.

PROFESSIONALS

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