

Class Actions

Since the birth of our firm, FormanWatkins has been involved in class action suits. Our experience lends itself to the multi-layered process involved in this arena. We creatively examine the hurdles our clients have to clear, from certification to resolution.

FormanWatkins defended an international corporation with respect to bodily injury, property damage, and civil penalties claims (exceeding \$250 million) in state and federal court actions, as well as a class action, in Mississippi and Louisiana. We assisted in the negotiation of favorable settlement terms, implemented a class settlement, and defeated efforts by Louisiana state officials to reopen and extend the corporation's exposure.

We represented 30 defendants in more than 23,000 silica products liability cases filed across the country in 2002, leading the innovative removal and transfer of these cases to a federal MDL. As chair of the MDL defendants' Steering Committee, FormanWatkins led the unprecedented challenge to plaintiffs' diagnoses and their supporting experts as fraudulent. Our efforts led to the historic opinion by Judge Janis Jack in *re Silica Prods. Liab.*, 398 F. Supp. 2d 563 (S.D. Tex. 2005), which abruptly terminated large scale silica litigation by 2006. The results of this litigation were widely reported in many national media outlets, including *The New York Times*, *Fortune Magazine*, NPR, *The Wall Street Journal*, *The Houston Chronicle*, and *Reader's Digest*. FormanWatkins' success was extended in the Silica MDL to the federal Asbestos MDL, where the claims of more than 100,000 plaintiffs had been pending since the early 1990s. As the result of these efforts, virtually all of these claims were dismissed voluntarily without payment, or involuntarily by 2014.

We represented over 20 defendants in complex consumer finance litigation arising under federal and state law involving tens of thousands of plaintiffs in federal and state courts throughout Mississippi.

FormanWatkins successfully represented three professional medical organizations in the federal Orthopedic Bone Screw Litigation MDL in Philadelphia, Pennsylvania. We creatively conceived and implemented a strategy to defend claims that the organizations promoted off-label use of medical devices in violation of the Food, Drug, and Cosmetic Act. This groundbreaking strategy resulted in over 30 summary judgments for the organizations across the country, followed by plaintiffs' unconditional abandonment of their claims against the organizations.

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