

Toxic Torts

Investigating accidents & defending manufacturers



When you need help

- investigating and responding to chemical release and spill incidents
- defending matters in which employees or users are exposed to toxic substances
- handling air, water, and ground contamination litigation
- defending individual, class action, and mass plaintiff joinder actions of toxic exposures

our experienced team is here for you.

Our toxic tort defense experience covers claims across the board

Our team has worked to defend a wide range of toxic tort claims locally, regionally, and nationally. We've defended high-profile incidents, from investigation through trial, and have defended and tried exposure allegations on a regular basis. Our experience includes defending claims involving

- Incident response
- Individual employee exposures
- End user exposures
- Chemical releases from
 - Trucks
 - Trains
 - Above-ground storage tanks
 - Underground storage tanks
- Industrial Production
- Air, water, and ground contamination and public exposure
- Products liability
- Premises liability

Related Practice Areas

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[Multi-Claim & Class Action Litigation](#)

[Premises Liability](#)

[Products Liability - Consumer & Mechanical](#)

[Property & Casualty Coverage](#)

[Railroads](#)

Related Industries

Our clients span multiple industries

From an early national chemical industry and asbestos defense practice foundation, our toxic torts practice has played an active role in chemical and toxic exposure cases. Every client is different, and we have experience working with the following industries

- Asbestos manufacturers and distributors
- Chemical manufacturers and specialty chemical manufacturers
- Coal companies
- Pesticides and pesticide devices
- Railroads
- Refineries
- Tobacco industry
- Trucking companies

We defend a wide variety of claims involving a wide variety of products

Our experienced team has defended claims involving CERCLA, TSCA, FIPRA, Clean Water Act, Clean Air Act, common law personal injury, and property damage matters, as well as cases involving numerous other state and federal laws and regulations. We have experience working on matters involving federal and state EPA and DEP agencies, the NTSB, FRA, and DOT. We have defended claims of exposure to a wide variety of chemicals and toxic substances, including

- Acetaldehyde
- Asbestos
- Benzene
- Chlorine
- Chlorpyrifos
- Creosote
- CTLO
- Formaldehyde
- Hydrochloric acid
- MCHM
- MTBE
- Paint
- PCBs
- Silica
- Solvents
- Termiticides

Construction
Consumer Products
& Retail
Energy & Utilities
Manufacturing
Transportation

- Tobacco
 - Toluene
 - Vinyl chloride
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We work with nationally-recognized experts to defend our clients.

Our attorneys have experience in handling the complex issues involved in this type of litigation, including causation analysis, epidemiological issues, and scientific evidence admissibility questions. We routinely work with nationally recognized experts in the following fields

- Air and water modeling
 - Chemical combustion
 - Corrosion Science
 - Environmental justice
 - Industrial hygiene
 - Material handling
 - Property valuation and diminution
 - Pulmonology medicine
 - Responsible care
 - SDS (MSDS) and warnings
 - Toxicology
 - Transportation regulations
 - Weather and climate impacts
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Our lawyers are problem solvers and problem preventers

Whether we are investigating a matter on the front end or defending a case once it has been filed, our team can help you with

- **Counseling** and review of products and SDS (MSDS)
- **Investigations and on-the-ground response** for immediate management
- **Strong data base of toxic tort knowledge** to meet client needs with corporate historical analysis, literature searches and document reviews
- **Data bases and document storage** for client specific issues such as medical literature, expert opinions, substance specific information
- **Identifying and hiring scientific and liability experts** for advice and litigation
- **Identifying opposing experts**
- **Managing discovery and case management**
- **Preparing and defending** corporate representatives, fact witnesses, scientists, and investigators for litigation
- **Analyzing liability and medical issues**

- **Budget-conscious** defense of litigation
- **Managing and advising** boards of directors, customers and public relations
- **Defending clients through the entire process** of discovery, negotiations, alternative dispute resolution, trials, and appeals

Why Nelson Mullins?

- Broad range of litigation experience and resources – lead trial counsel experience and team of attorneys representing clients in courtrooms throughout the United States
- Deep experience and knowledge of toxic tort claims and the federal and state regulatory schemes on which the claims are made
- Track record of successfully handling personal injury and premises liability cases involving individuals, mass joinders of individual claims, and class actions
- Substantial trial and appellate experience across the country on behalf of manufacturers, distributors, transporters, and users of toxic substances

Experience

Following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

- Represented a chemical manufacturer in matter concerning MCHM spill into public water source
- Represented a manufacturer of fungicides and rodenticides in defense of claims of exposure by end-user
- Represented a petroleum refinery in class action claims for exposure to dust and emissions generated from use of Kolin Clay
- Represented the user of transformers against claims that employees and families of employees were exposed to PCBs
- Represented an owner of underground storage tanks that failed and leaked MTBE into water source
- Represented a transportation company that wrecked, leaking and exposing public to hydrochloric acid
- Represented manufacturers of asbestos and asbestos products in personal injury and property damage exposure claims
- Represented an employer whose employees were exposed to various substances including paint, solvents, asbestos, silica, and benzene
- Represented a railroad tanker car owner involved in failure which spilled toluene into community ground water
- Represented a property owner on claims of buried toxic chemicals including benzene
- Represented a railroad in train-train collision involving release of acetaldehyde
- Represented a manufacturer of paint thinner in claims of exposure by end users
- Represented a petroleum distribution retail outlet in diesel explosion and exposure cases

To learn about our E-Discovery practice, please [click here](#).