

*Featured Case:*

## Exploding Airbag II

In last month's newsletter, we discussed a 2015 Cooper Firm case involving exploding airbags, the first of its kind. We predicted it wouldn't be the last, and we were right. In May 2015, the U.S. DOT announced a national recall of Takata manufactured airbags affecting nearly 22 million vehicles. The defective airbags release with such force that the internal parts break apart and burst through the airbag like shrapnel in an explosion, leading to serious injury or death.

As of May 2016, this recall has expanded to cover 70 million vehicles. Most authorized dealers have a plan in place for replacing the airbags through 2018. According to the U.S. DOT, you will receive notification in several forms if your car is included in the Takata recall. However, we encourage you to visit the National Highway Traffic Safety Administration's website, [www.NHTSA.gov](http://www.NHTSA.gov), and check for ANY recalls associated with your VIN.

Contact us for a complimentary case consultation if you or someone you know has been injured as a result of the airbag deployment. ♦

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## You Mean My Baby Powder Can Give Me Cancer?

**And Other Questions About Talcum Powder...** By Pat Dawson

**What is talcum powder?** Talcum powder is simply a ground up version of talc. Talc is a clay mineral composed of hydrated magnesium silicate and is one of the softest minerals known.

**What is talc used for?** According to Wikipedia, "[t]alc is used in many industries—including paper making, plastic, paint and coatings, rubber, food, electric cable, pharmaceuticals, cosmetics, and ceramics. A coarse grayish-green high-talc rock is soapstone or steatite, used for stoves, sinks, electrical switchboards, crayons, soap, etc. It is often used for surfaces of lab counter tops and electrical switchboards because of its resistance to heat, electricity and acids. Talc finds use as a cosmetic (talcum powder), as a lubricant, and as a filler in paper manufacture.



Talc, with heavy refinement, has been used in baby powder, an astringent powder used to prevent rashes on the area covered by a diaper. The American Academy of Pediatrics recommends that parents not use baby powder because it poses a risk of respiratory problems—including breathing trouble and serious lung damage if the baby inhales it. The particles are so small that it is difficult to keep them out of the air while applying the powder."

For years, women have used it for personal hygiene. Johnson & Johnson advertised it for this purpose.

### **It once had asbestos in it?**

Despite the well-known dangers of asbestos, talc often contained asbestos, presumably from its close proximity to asbestos ore which is found in similar geological strata as the talc.

### **Surely that ended, right?**

Yes, since 1973 the law requires talc to be asbestos-free.

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# ◆ TCF Team Updates:



## *Welcome, Lauren!*

The Cooper Firm would like to welcome Lauren Kim as our new Marketing Director. Lauren has extensive experience in marketing, primarily in the real estate industry, and most recently was the Division Marketing Coordinator for PulteGroup in

Charleston, South Carolina. Lauren is passionate about digital marketing and engaging all social media outlets to keep The Cooper Firm top-of-mind among fellow attorneys and prospective clients. Born and raised in Duluth, Lauren went to Marist School in Dunwoody before attending the University of Georgia and graduating with a degree in Marketing. She currently calls Marietta home with her husband Edward. On her days off, you'll find Lauren at the park with their two dogs, Gehrig and Gracie, enjoying a Broadway show, or planning their next international trip! ◆



## *Thank you, Pat!*

Pat Dawson has accepted a position alongside attorney Bob Cheeley at the newly established Cheeley Law Group. We are grateful to Pat for his support and contribution to Lance & The Cooper Firm over the past 20 years and wish him continued success. ◆



## *A Special Note from Victoria:*

Not everyone is lucky enough to have a job they truly love. Not only that, but to have coworkers who feel like family is rare. Working for The Cooper Firm has been a beautiful chapter in my life. Although it is quite bitter to leave, I am excited about the sweet opportunity to soak up these moments with my new son.

Lance and the team meet people during some of the hardest seasons of their lives, and help them pursue justice against the Goliaths of this world. And to have been a small part of that has been my greatest memory. From the events, press conferences, and parties, to the lunches with the girls and the day-to-day emails, it has been an honor.

***Thank you, Victoria, for being an incredible and integral part of our team these past several years. We wish you the best of luck on this next exciting chapter in your life! ◆***

# ◆ Seeing, Hearing & Doing:

## *My Journey with Orphan Aid Liberia, by Linda Stricker*

Our 12-day trip began with spending time with the children at Orphan Aid Liberia's first orphanage, which was founded in 2008. It was such a joy—playing with bubbles, painting, making crafts, eating popcorn and PBJs, and preparing 2 large tubs of spaghetti for lunch—a tradition every trip! The Cooper Firm so graciously supplied backpacks filled with coloring books, crayons, bracelets, and candy—which were such a treat. Both adults and children accepted them with happy smiles exclaiming “thank you plenty!”

This trip really focused on deworming children from over 90 orphanages, as well as providing food and supplies for families that agreed to foster children orphaned by the recent Ebola crisis. We were guided to an orphanage in dire need, and through the power of prayer and social media, raised enough funds to supply them with 20 new mattresses before we departed!

For more information and to see pictures from Orphan Aid Liberia and Team LOVE's June 2016 Journey, visit The Cooper Firm's website blog.

**James 1:27** *Religion that God our Father accepts as pure and faultless is this: to look after orphans and widows in their distress and to keep oneself from being polluted by the world. ◆*



**Fun-filled backpacks from The Cooper Firm**



**Linda walking with young friends**



Continued from page 1: *Baby Powder & Ovarian Cancer*

**Had there been studies linking talc and talcum powder to problems in humans?** Yes, the dangers of talcum powder to human tissue were first discovered back in the 1930s. Infants suffered lung ailments from inhalation of talcum powder. There were also concerns about cancer. In 1971, researchers discovered talc particles, which are extremely fine, on 75 percent of ovarian tumors they examined.

**Has talcum powder after the 70s been linked to cancer?** Yes, even after the asbestos was removed, there have been cases of talc causing ovarian cancer. The link is so well established that courts of law, applying rules about admissibility of scientific evidence, have admitted evidence of it into several trials.

**How does it cause ovarian cancer?** Female users often apply talcum powder as part of their feminine hygiene routine. It is thought that the incredibly fine talc particles are absorbed through the genitals, pass through the fallopian tubes, then come to rest in the ovaries. There, they irritate the ovaries, making them more susceptible to disease and cancer.

**How much does it increase the risk of ovarian cancer?** Ovarian cancer strikes 20,000 women a year. Talcum powder raises the risk of this cancer from 1 in 70 to 1 in 50. In March of this year, an article in *Epidemiology* concluded that the use of talcum powder could increase the risk of ovarian cancer by 33 percent!

One trial expert has said that at least 45,000 women have died of ovarian cancer as a result of talcum powder use. Some calculate that women who use the Shower To Shower brand talcum powder have a 16 times higher rate of ovarian cancer.

To be sure, there are industry studies (some may be honestly done, or others motivated by money) that say talcum powder causes no increased risk of ovarian cancer.

*"...at least 45,000 women have died of ovarian cancer as a result of talcum powder use."*

**Has the talc industry, and Johnson & Johnson, known about these dangers?** Information gathering (called "discovery" in litigation) is still going on. We suspect the cancer link was well-known for many decades by companies selling talc products. Discovery will eventually show just how far back that knowledge goes.

As for Johnson & Johnson, it was warned by one of its paid experts, Dr. Alfred Wehner, about talc in 1997. He pulled no punches, stating that anyone who continued to deny the evidence in the studies "will be perceived by the public like it perceives the cigarette industry: denying the obvious in the face of all evidence to the contrary." Johnson & Johnson has not stopped selling its talcum powder products. Court documents show that Johnson & Johnson has known of the risks for more than 40 years.

**Have people brought lawsuits against Johnson & Johnson and others?** Yes. So far over 1,200 lawsuits are known to exist. Many of them were filed in the City of St. Louis, Missouri area.

**Has anyone been successful in their lawsuits?** Yes, the first three that we know that have gone to trial have resulted in verdicts for the plaintiff. They include:

***Fox v. Johnson & Johnson (City of St. Louis, MO)***

In February 2016, the jury found Johnson & Johnson liable for fraud, negligence, and conspiracy. The jury awarded Jacqueline Fox's family more than \$72 million for her death from ovarian cancer. See the ABA Journal and Reuters.

***Ristesund v. Johnson & Johnson (City of St. Louis, MO)***

In May 2016, a St. Louis jury found Johnson & Johnson liable, and awarded Mrs. Ristesund \$55 million in compensatory and punitive damages. See Reuters and Bloomberg.

***Berg v. Johnson & Johnson (Sioux Falls, SD)***

Deane Berg was one of the earliest to sue and bring this matter to light. She turned down an offer from Johnson & Johnson of \$1.3 million to settle and sign a confidentiality agreement. Instead, she chose the risky option of putting her case in front of a known conservative South Dakota jury. Although J&J was found negligent, the jury did not award Ms. Berg any damages.

*As an aside, we salute Mrs. Berg's brave decision to go to trial rather than hide the hazard. As always, evidence will continue to emerge as more plaintiffs conduct deeper and more vigorous discovery into the files of Johnson & Johnson and trade associations.*



**What should I do if I have used talcum powder for personal hygiene like the women mentioned in the above cases?**

1. Stop using the product.
2. Go see your doctor. Ovarian cancers can be slow growing at times, and painless, so many women do not know they have it until it is too late.
3. Retain the bottles of any talc products that you have used. If you are diagnosed with cancer, the bottle and contents may become evidence in the case. While one bottle alone may not have caused the cancer, it can be evidence of the type of talcum powder you habitually used.
4. Find a lawyer experienced in complex liability lawsuits.

***The evidence admitted in all the above cases can also be used to help you prepare and try your case. If you or someone you know has been diagnosed with ovarian cancer and believe the use of talcum powder could be related, please contact us today for a complimentary case consultation. ♦***



*Relentlessly Pursuing Justice*

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## SAVE THE DATE: Love for Liberia

A charity event and Silent Auction benefiting  
Orphan Aid: Liberia

Saturday evening, October 15

Please save the date for an evening of celebration and to help support  
a cause that is close to our hearts, Orphan Aid: Liberia.

A formal invitation will follow. #Love4Liberia

**L****VE.**