



Toxic Tort

Managing Complex, High-Stakes Litigation

Legal matters related to hazardous materials exposure often span several decades and involve dozens of litigants and voluminous discovery. Efficient, cost-effective case management is essential. For nearly 50 years, Dickie, McCamey & Chilcote attorneys have represented clients in virtually every type of toxic and mass tort litigation brought in the United States. Comprised of more than 25 attorneys across our various offices, our Toxic Tort Group knows how much is at stake for our clients. We are well versed in the intricacies of substance and chemical exposure litigation and have the knowledge and experience to guide your company through these issues.

Offering Extensive Experience

Dickie McCamey attorneys have served as national coordinating, regional and local counsel in cases involving claimed exposures to asbestos, benzene, solvents, lead, vinyl chloride, mold, silica, formaldehyde and talc, among other toxic substances. Our Group has extensive experience defending toxic tort claims nationwide for the oil, petrochemical, paint, and aerospace industries. In benzene/solvent litigation, we have represented clients in more than 35 states. In asbestos litigation, our attorneys have defended clients since the inception of this litigation more than 40 years ago, and we have managed more than 100,000 cases.

Beyond our role as national coordinating counsel for several clients, we have represented a wide variety of clients regionally in Pennsylvania, Delaware, Maryland, New Jersey, Ohio, and West Virginia, seeing cases through from initial discovery to final verdict and appeal. Our cases range from single-plaintiff, single-defendant, and single-product claims of personal injury to matters in which we act as shared counsel for multiple defendants (from 2 to 10+) in cases involving hundreds to thousands of plaintiffs and dozens to hundreds of products.

While toxic tort litigation has exploded nationally in frequency and scope, with an increasing number of higher-stakes cases often being filed in unfavorable jurisdictions and relating to claims stretching back many decades, Dickie McCamey's efficient and successful defense of this type of litigation has actually managed to curtail the number of cases faced by its clients.

Sound Legal Strategies; Hands-On Know-How

Over the years, our client-centered approach and history of toxic tort litigation defense have won the confidence and respect of many clients. Our work has enabled us to develop practical, cost-effective methods of case management, settlement negotiation, and trial preparation. We effectively communicate complex medical, industrial hygiene, epidemiological, toxicological and warnings issues to juries. Our attorneys are also well versed in the relevant regulatory framework applicable to the products and workplaces involved in our cases.

While it is often difficult to dispose of cases via motions practice, where appropriate we challenge the opposing experts under the appropriate jurisdiction standard (Daubert, Frye, etc.). Our attorneys have amassed the medical and scientific knowledge essential in evaluating, preparing for, and defending toxic tort cases. We have also developed close ties with established experts in these fields and draw on their skills as needed to serve our clients.

Highly Respected Litigation Team

As is true with our firm as a whole, Dickie McCamey's Toxic Tort Group continues to be widely known for its experience in litigation. This reflects the fact that our attorneys try cases. Dickie McCamey believes that the best litigation results — whether achieved in court or across the bargaining table — occur where the lawyers and client form a team that is ready and willing to try the case when that course becomes necessary.

This approach has two complementary benefits. First, trial lawyers get better results. By preparing every case for trial, Dickie McCamey lawyers do not get caught unprepared when a case must be tried, and they are better able to litigate emergency matters, including assuming responsibility on the eve of trial for cases that other firms have handled during the discovery stage.

Second, trial lawyers get better settlements. Dickie McCamey recognizes that most cases not disposed of through motions practice do — and probably should — settle before they go to trial. However, because other law firms are well aware of our trial-oriented philosophy, Dickie McCamey and its clients send a clear message at the outset of the case that we are unafraid of trial and that settlement decisions will be guided by sound business considerations, not by fear of trial.

Dickie McCamey's trial-oriented philosophy does not come at the expense of litigation efficiency. Rather, it promotes efficiency. We concentrate on what is necessary to achieve a successful outcome by focusing on those pretrial strategies that have a realistic chance of disposing of the case prior to trial or meaningfully narrowing the issues for trial. Our toxic tort team is committed to delivering quality results in a cost-efficient manner.

Cost-Saving Technology and Service

Dickie McCamey's people and technology resources, including a sophisticated matter management system, are considerable assets. Our database permits us to quickly track the status of toxic tort cases and obtain necessary information. Because of the voluminous discovery materials inherent in this type of litigation, electronic document management is essential to controlling costs and efficiently expediting cases. It also allows us to generate a variety of case reports to keep our clients apprised of progress in all pending cases.

In many matters, we can offer clients the benefits of concurrent representation throughout the discovery phase of toxic tort litigation. This offers significant cost savings by allowing multiple clients to share costs for activities such as deposition attendance and recording, data entry, and medical records without compromising the quality of representation.

For further information on the capabilities of the Toxic Tort Group, contact:

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