

# J&J Wants 103 NJ Baby Powder Suits Centralized

By **Alex Wolf**

Law360, New York (June 16, 2015, 8:24 PM ET) -- [Johnson & Johnson](#) and its subsidiaries are seeking to designate for multicounty litigation in Atlantic County more than 100 suits claiming the company's baby powder and other talc-based products sold over the counter caused ovarian cancer.

In a May 19 letter of request, the company argues that because 87 of 103 talcum-powder cases in the state are pending in Atlantic County under Superior Court Judge Nelson C. Johnson, the other 16 cases — which have been assigned to eight different judges in Bergen County — should be moved and consolidated with them for practical purposes.

“Counsel have been advised by the court that it is not possible to administratively transfer the Bergen County cases to Atlantic County,” the letter said. “Defendants therefore respectfully request the centralized management of all of these matters before Judge Johnson in Atlantic County to conserve judicial resources and avoid the risks of duplicative discovery and inconsistent rulings.”

Johnson & Johnson said that consolidation would be appropriate for these cases because the litigation has a “large number” of parties, geographical dispersment and remoteness of defendants' counsel, and each of the pending cases alleges the same thing — that perineal exposure to the same group of talc products caused ovarian cancer.

“While each plaintiff will have an individualized medical history, alleged exposure history and unique facts, each of the complaints contains consistent allegations and demands for damages against defendants,” the letter said.

The company also said it “vigorously disputes general causation in this litigation” and that the most recent, comprehensive relevant scientific studies refute the plaintiffs' claims. It said these recent scientific papers are consistent with decades of scientific literature, which it said has failed to demonstrate a causal link between perineal talc use and ovarian cancer.

According to the letter, the plaintiffs' firm that started the state litigation and has filed most of

the Atlantic County cases, [Seeger Weiss LLP](#), has been selectively filing some of its cases in Bergen County. The letter also indicates that some New Jersey plaintiffs are also represented by Golomb & Honik PC.

Glenn A. Grant, acting administrative director of the courts for New Jersey, said in a June 8 notice that anyone wishing to provide comments or objections to Johnson & Johnson's bid to consolidate should send them in by July 8.

In an email to Law360 on Wednesday, attorney Richard Golomb said his firm has dozens of clients who have or will be filing lawsuits against Johnson & Johnson in Atlantic County. He also said it has been the firm's belief since the beginning of this litigation that "based on the number of cases that have been or will be filed, coordination is inevitable and justified."

An attorney for Seeger Weiss could not be reached for comment Tuesday evening.

In related news, Johnson & Johnson in March [dodged class action claims](#) in California federal court when a judge ruled that a woman claiming she developed ovarian cancer after using the company's baby powder for more than 60 years failed to point out any specific misrepresentations the company made and can't claim she paid a premium for the product.

--Additional reporting by Joe Van Acker. Editing by Brian Baresch.