



Publications

"DECISIONS LIMITING TOXIC-TORT CLAIMS: ABERRATION OR POTENTIAL TREND?" ABA MASS TORTS

"In defending against toxic-tort claims, New York stands out as one of the most difficult jurisdictions for defendants and their insurers," writes Andrew J. Scholz, a partner in Goldberg Segalla's Toxic Torts Practice Group. "To illustrate, within the last decade, New York juries have rendered shockingly high multimillion-dollar verdicts in asbestos litigation as well as lead-paint litigation."

In this article written for the American Bar Association's Mass Torts Committee, where he serves as co-chair of the Toxic Tort Subcommittee, Andrew examines the impact of recent decisions related to causation as it relates to personal-injury-based mold claims and recoverability of "medical monitoring" damages — decisions that reflect significant victories for defendants and potentially breathe new life into a number of unresolved liability and damages defenses in toxic-tort cases.

Read the article here:

Andrew J. Scholz, "Decisions Limiting Toxic-Tort Claims: Aberration or Potential Trend?" American Bar Association *Mass Torts Litigation*, Spring 2014, Vol. 12, No. 3

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