

Community News

Local Attorney Lands Key Leadership Role



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Prattville native and Beasley Allen attorney Leigh O'Dell has had an interesting life and not one she imagined growing up as the daughter of a small business owner.

Yet, through the twists and turns of life and her legal career, O'Dell's faith in God has kept her focused on serving others. Despite leaving her law practice to serve in vocational ministry—on two separate occasions

— she has carved a place for herself among some of the country's most talented litigators. O'Dell demonstrates that practicing law is far more than billable hours and building a reputation.

"Clients come to our firm typically after something catastrophic happened in their lives and it is a privilege to help them in what is probably their greatest time of need," said O'Dell. "What motivates me is to know that I am one of the people who gets to help them navigate the problems and challenges in holding defendants accountable."

Most recently, O'Dell was appointed co-lead counsel in Multidistrict Litigation (MDL) to represent women suffering from ovarian or uterine cancer. She will serve alongside Michelle Parfitt, an attorney with Ashcraft & Gerel, a firm based in Washington, D.C. The Johnson & Johnson talc MDL includes more than 70 lawsuits in which victims or their families allege Johnson & Johnson is liable for personal injuries or wrongful deaths that resulted from ovarian or uterine cancer in women who used the company's talc products for feminine hygiene.

Judge Freda Wolfson, United States District Judge for the District of New Jersey in Trenton will preside over the MDL with the next hearing slated for January 23, 2017.

"It is an honor and a humbling experience to be a part of a group of lawyers providing leadership in this litigation," said O'Dell. "The steering committee is critical to advancing the litigation on behalf of those who have suffered so much because of Johnson & Johnson's negligent conduct."

The selection is unusual in that two female attorneys were chosen to lead the litigation in what is still a field often dominated by men.

"As a woman, I am very pleased to serve as Co-Lead Counsel along with Michelle Parfitt on behalf of women who have been injured as a result of talc. We recognize that having two women lead an MDL is unusual but, thankfully, less rare with each passing year. We look forward to continuing the work our firms have been doing in talc litigation for years."

The claims against Johnson & Johnson have already received support.

Beginning in February, three juries found Johnson & Johnson liable for injuries or wrongful death resulting from the use of its talc-containing products such as Johnson's Baby Powder and Shower to Shower body powder for feminine hygiene. That month, a jury held Johnson & Johnson

liable for the ovarian cancer that led to Jacqueline Fox's death. It awarded Fox's family \$72 million, including \$62 million in punitive damages.

In May a jury awarded Gloria Ristesund \$55 million, which included \$5 million in actual damages and \$50 million in punitive damages. Then, a jury in October awarded Plaintiff Deborah Gianneccchini \$70.075 million after agreeing the products contributed to the development of her ovarian cancer. The verdict included \$575,000 in medical damages, \$2 million in compensatory damages, and \$65 million in punitive damages against Johnson & Johnson and \$2.5 million in punitive damages against Imerys Talc America, Inc., which supplies talc to Johnson & Johnson. It was the first jury verdict against Imerys in this litigation.

The purpose of awarding punitive damages is to punish a company for wrongdoing and to compel it to change its actions.

Johnson and Johnson's wrongdoing started decades ago. In the 1970s, long before O'Dell and many of her co-counsel had any thought of serving others through the practice of law, experts warned the company that its products containing talc could increase the risk of ovarian cancer when used in the genital area.

In 1982, Harvard scientist, Dr. Daniel Cramer, also explained to Johnson & Johnson how the talc in its baby powder was causing a significant risk of ovarian cancer in women. That same year the company launched a massive effort to pull bottles of the company's best-selling product, Extra-Strength Tylenol, from store shelves in response to the deaths of seven customers in the Chicago area who had taken cyanide-laced capsules of the product. It spent more than \$100 million to recall and relaunch Tylenol.

Yet, the pharmaceutical giant did nothing and still has never warned consumers about the dangers and risks of genital talc use.

"Johnson & Johnson offers a clear example of the importance in holding manufacturers accountable," explains O'Dell. "In one case, it placed customers first. In our clients' cases, however, it suppressed safety information and actively misled women about the dangers of genital talc use. Johnson & Johnson's conduct with regard to talc is reprehensible and we will continue pursuing justice for these women and their families," explains O'Dell.

O'Dell was also appointed to the Plaintiff's Steering Committee (PSC) for the MDLs against seven transvaginal mesh manufacturers. Earlier in her career she spent six years sharpening her courtroom skills as part of the trial team for five of the 17 bellwether trials against Vioxx maker, Merck & Co. "I feel very honored to serve on behalf of the thousands of women who are suffering and many dying of ovarian cancer. I hope our team provides the vision, leadership and execution necessary to obtain justice for these ladies. They are or were professionals, wives, mothers, daughters, sisters, friends and they deserve so much more," concluded O'Dell.