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## Jury Reaches Defense Verdict for Talcum Powder Defendants in Missouri State Court Trial

ST. LOUIS — A Missouri jury has reached a defense verdict in favor of Johnson & Johnson and Imerys Talc America at the conclusion of a talcum powder ovarian cancer trial, marking Johnson & Johnson's first win in a Missouri state court trial, HarrisMartin Publishing is reporting.

The verdict was reached just moments ago by a Missouri 22nd Judicial Circuit Court for St. Louis City jury. Jurors heard closing arguments yesterday and retired to deliberate at 4:00 p.m. The jury deliberated today for approximately five hours before reaching its verdict.

The underlying claims were asserted by plaintiff Nora Daniels, who says that her Stage II(b) ovarian cancer was caused by use of talcum powder products. The case is the fourth to proceed to trial in one year in Missouri state court; the first three ended in verdicts of \$72 million, \$55 million, and \$70 million, respectively.

In a statement obtained by HarrisMartin, Johnson & Johnson said that it "deeply sympathize[s] with the women and families impacted by ovarian cancer."

"The jury's decision is consistent with the science, research, clinical evidence and decades of studies by medical experts around the world that continue to support the safety of cosmetic talc. This verdict is in addition to the dismissal of two cases in New Jersey in September 2016 by a state court judge who ruled that plaintiffs' scientific experts could not adequately support their theories that talcum powder causes ovarian cancer, a decision that highlights the lack of credible scientific evidence behind plaintiffs' allegations," the defendant continued.

Jury selection in the trial initially started on Jan. 30, but the first panel selected was eventually dismissed after an attorney for the plaintiffs fell ill during opening statements. A second panel was sworn in on Feb. 9; opening statements were heard the same day.

Daniels — whose case was selected to be tried by the defendants — started presenting her case on Feb. 10, concluding on Feb. 23. Johnson & Johnson started presenting evidence on its behalf the same day.

Sources told HarrisMartin that the next case in the Missouri state court is scheduled to begin trial on April 10. Jurors selected in that trial will hear the claims of Lois Slempp, who contends that her Stage III(c) ovarian cancer was caused by exposure to talcum powder products.

Slempp is also a defense pick, but sources told HarrisMartin that they are advancing Slempp's claims to trial based on her declining health.

In January, the trial court denied the plaintiffs' efforts to try Slemph's case before the claims of Daniels; the plaintiffs had argued at the time that Slemph has had a recurrence and metastasis to her liver.

Johnson & Johnson had opposed those efforts, arguing that the plaintiffs' motion was another attempt to "thwart any fairness initially envisioned" by the court when it implemented a system in which the plaintiffs and defendants alternatively select individual cases to try. For more on the court's decision, see the January 2017 issue of HarrisMartin's Talcum Powder Litigation Report.

Swann, et al. v. Johnson & Johnson, et al., No. 1422-CC09326-01 (Mo. 22nd Jud. Cir. Ct., City of St. Louis).

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