

THIS THURSDAY, NOV. 29: Arguments on Behalf of Babies and Children Affected by National Opioid Crisis in New York City

Legal-Medical Partnership Will Make Case for Babies and Children to Have Their Interests Represented in the Nationwide Opioid Litigation

The United States Judicial Panel on Multidistrict Litigation will hear arguments open to the public on November 29, 2018 at 9:30am ET. Location: Daniel Patrick Moynihan U.S. Courthouse, Ceremonial Courtroom 9C, 9th floor, 500 Pearl St., New York, NY

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New York, NY, November 27, 2018. On Thursday, November 29, 2018, seven judges of the Judicial Panel for Multidistrict Litigation (JPML) will hear oral arguments as to why hundreds of thousands of infants born dependent on opioids should be allowed their own representation in a separate proceeding from the nationwide opioid litigation currently proceeding against several large pharmaceutical companies.

Presently the JPML has consolidated all opioid-related cases before a single federal judge in Cleveland, Ohio, including states, cities, insurance companies, individuals, and infants born dependent on opioids. Attorneys with the Opioid Justice Team represent infants born dependent on opioids and are arguing to consolidate these cases in their own separate litigation against the pharmaceutical companies.

As of 2010, nearly one-third of pregnant women in the United States were prescribed opioids. Neonatal Abstinence Syndrome (NAS) is a group of medical conditions faced by infants born dependent on opioids from their exposure in the womb due to their mothers' usage. Between 2000 and 2009, the National Institute on Drug Abuse reported a five-fold increase of infants born with NAS. Data from multiple states that track NAS births continue to show growing numbers of newborns afflicted with it, and it is estimated that tens of thousands of NAS babies are born every year.

"It will cost billions to evaluate, treat, and monitor these infants and children as they grow into adulthood," said Scott Bickford of Martzell, Bickford & Centola, one of the Opioid Justice Team's lead attorneys. "These babies not only require expensive after-birth care but exhibit lifelong problems, including profound learning disabilities and propensity toward future addictions."

Lawyers for the NAS babies argue the infants of the opioid crisis are not similarly situated to governmental entities and other victims that have different and far less complicated legal remedies, whereas the babies and children will need decades of care and damages. The NAS baby and infant cases would be consolidated in a new MDL: Infants Born Opioid-Dependent Products Liability Litigation.

"NAS babies need relief now to stem long-term developmental and learning disabilities," Bickford said. "In addition to personal injury damages, these babies and children need a medical trust fund established to pay for a lifetime of treatment and study. What must not happen is a repeat of the big tobacco litigation where public entities squandered settlement funds so that virtually no money remained for long-term solutions. These babies need attorneys who will fight for them."

About the Opioid Justice Team

The Opioid Justice Team is a nationwide group of attorneys working with doctors and national and local nongovernmental organizations fighting to end our nation's opioid epidemic.