The Lawsuit

Holding Honeywell and PPG accountable

People are concerned about the presence of chromium in Jersey City. They worry how exposure to chromium may affect their health. They question whether living near a chromium waste site may impact the value of their property. These are reasonable concerns. The lawsuit seeks to help Jersey City residents address some of these concerns by demanding that polluters pay for periodic medical screenings for the early detection of serious illness in exposed populations and pay damages to landowners whose properties have been devalued. Combining their environmental and toxic tort legal experience, the law firms of Janet, Jenner & Suggs, L.L.C. (Maryland), German Rubenstein, L.L.P. (New York), Williams Cuker & Berezofsky (New Jersey) and Kanner & Whiteley, L.L.C. (Louisiana) filed the class action lawsuit Smith, et al., v. Honeywell International, Inc., et al. in Hudson County, NJ.

What the lawsuit is seeking?

The lawsuit demands that Honeywell and PPG pay for:

1. Periodic medical screenings (known as medical monitoring) for the early detection of cancer in exposed populations. This medical monitoring would include all citizens of Jersey City who live within 500 feet of a chromium waste site and are at an increased risk of cancer.
2. Money damages for landowners whose properties have been devalued.

The lawsuit also seeks punitive damages for defendants' wrongful behavior. They knew the chromium waste could cause cancer, and failed to properly clean it up.

What is a class action lawsuit?

A class action brings together into one lawsuit people who have suffered damages arising from a common wrongful act, in this case the defendants' disposal and failure to properly clean up chromium contamination in Jersey City. The injured people are known as plaintiffs. The corporations are the defendants. One lawsuit with numerous people asserting similar claims saves the court time and allows a single judge to hear all the concerns at the same time. The court has to approve or certify the lawsuit as a class before it may proceed as a class action.
What are the costs?

The law firms advance costs associated with the class action lawsuit, which include fact-finding and research, interviewing, putting the case together and presenting their clients’ case to the court and jury. The law firms will only get reimbursed if the case is successful.

Who pays the lawyers in a class action lawsuit?

Lawyers who represent a class for money damages are generally paid out of the recovery. Attorney fees are subject to court review and approval.

How long will the case take?

It is difficult to predict how long the case will take. It is not uncommon for environmental and toxic tort cases to last for years before they are resolved.

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