

## Juul Hit With First Wrongful Death Lawsuit

*A Florida woman said she was "sentenced to a life of sadness" after her 18-year-old son died due to electronic cigarettes, according to the lawsuit filed Tuesday by Levin Simes Abrams in California*

By [Amanda Bronstad](#)

The mother of an 18-year-old boy who died after using electronic cigarettes for three years filed the first wrongful death lawsuit against Juul Labs Inc. on Tuesday.

[The suit](#), filed in the U.S. District Court for the Northern District of California, seeks unspecified damages, including punitive damages, for the death of Daniel David Wakefield, a resident of Pasco County, Florida, who died in August of last year. His mother, Lisa Marie Vail, the plaintiff in the complaint, alleged that her son began using Juul's e-cigarettes, which he believed to be safe, at age 15. Now, the complaint says, she is "sentenced to a life of sadness."

"Juul claims that its product was intended to help existing, adult cigarette smokers. However, Juul intentionally targeted our youth beginning in 2015 with improper marketing and lies, going to so far as to give its product away for free to minors without verifying their age," wrote Vail's law firm, Levin Simes Abrams, in a statement. "In doing so, Juul single-handedly created an epidemic of young users with unprecedented levels of daily nicotine addiction."

Partners Mahzad Hite, Rachel Abrams, Sara Craig and Angela Nehmens filed the suit. The San Francisco-based firm claims it has dozens of lawsuits pending against Juul in federal and state courts.

"It is our hope that by bringing cases like that of Daniel Wakefield's to light, the public becomes aware of the serious—and sometimes fatal—hazard of Juul vapor smoke," the firm's statement says. "We also hope our work will trigger meaningful changes in Juul's corporate conduct, including taking responsibility for its role in creating this epidemic."

Juul spokesman Ted Kwong and its lawyer, Austin Schwing, of Gibson, Dunn & Crutcher, did not respond to a request for comment.

As of Oct. 8, the U.S. Centers for Disease Control and Prevention estimated that e-cigarettes caused 26 deaths in 21 states and nearly 1,300 “lung injury cases” nationwide.

The case adds more legal troubles for San Francisco-based Juul, which also faces government investigations by the U.S. Food and Drug Administration, the Federal Trade Commission and many state attorneys general. Last month, Juul announced that CEO Kevin Burns [would step down immediately](#) and the company would suspend all advertisements of its products. The new CEO, K.C. Crosthwaite, comes from Philip Morris USA parent corporation Altria Group Inc., which has a 35% stake in Juul.

More than 60 lawsuits, some of which name Altria as an additional defendant, have alleged injuries in the form of addictions and various illnesses, like pulmonary disease and seizures, or consumer fraud on behalf of classes of consumers. Earlier this month, [three school districts](#), represented by Beasley, Allen, Crow, Methvin, Portis & Miles and Wagstaff & Cartmell, sued Juul for increased costs associated with the rise in e-cigarette use among their students.

On Oct. 2, the U.S. Judicial Panel on Multidistrict Litigation [ordered](#) that lawsuits against Juul go before U.S. District Judge William Orrick of the Northern District of California.

According to Tuesday’s lawsuit, Wakefield was a healthy teenager doing well in school until he began using Juul’s e-cigarettes. He became addicted, at one point throwing a mini refrigerator from the top floor of his home because he was unable to vape. Within a year, he ended up in the hospital for three days due to “breathing and lung complications.”

He was staying at his dad’s house when he died in his sleep from “breathing complications.”

The suit alleged claims including strict products liability, gross negligence, wrongful death and California’s consumer fraud law.