

Perenich Law will be a proud sponsor of the **4th Annual Mitchell Swayze Page Tennis Tournament**. This tournament will benefit the American Foundation for Suicide Prevention. This event will take place Saturday and Sunday September 25th and 26th at Innisbrook Resort & Spa. Registration has begun! Join us! Visit [www.afsp.org/msptennis](http://www.afsp.org/msptennis) for more information!



## MASTERING MASS TORT LITIGATION

Our firm is dedicated to protecting patients and consumers from harmful drugs, unreasonably dangerous products, environmental contamination, and unsafe buildings. The genesis of mass tort litigation can be traced primarily to asbestos and tobacco cases over 40 years ago filed by trial lawyers on behalf of individuals. Since then, litigation in this arena has grown to include actions filed on behalf of governmental entities and states to recoup the costs of medical care by Medicare and Medicaid, as well as, for example, to pay for environmental clean-up and remediation. Being mindful of our obligation of keeping you well informed and knowledgeable of mass tort litigation, the following represents a summary of cases we are evaluating and investigating on behalf of our clients:

### Dangerous Drugs and Medical Devices:

1. **Elmiron** is the brand name of a drug for treating patients diagnosed with interstitial cystitis. Symptoms include chronic bladder pain, urinary frequency, urinary urgency, and painful sexual intercourse. Elmiron has been linked to a serious eye condition, maculopathy, which results in loss of vision. In addition, there is scant scientific data to suggest that the drug has any significant efficacy in treating interstitial cystitis. Over 200 claims are pending in lawsuits filed against Elmiron's manufacturer.

2. **Nexium and Prilosec** are proton-pump inhibitors prescribed to treat acid reflux (GERD), but several well-regarded studies have also linked both of these drugs to strokes, bone fracture, kidney failure and heart disease. More than 13,000 lawsuits have been filed against AstraZeneca, Proctor & Gamble, and



Pfizer, the manufacturers of Nexium and Prilosec.

3. **Zantac** is both a prescribed and over the counter medication for heartburn and stomach ulcers. It has been linked to several types of cancer and other ill health effects. The active component of Zantac is ranitidine. Scientific studies have demonstrated a clear link between ranitidine and N-nitrosodimethylamine (NDMA), a known carcinogen, especially when ranitidine is exposed to water. On April 1, 2020, The U.S. Food and Drug Administration (FDA) announced that it was directing Zantac to be taken off the market. The FDA found that storing the drug at higher-than-normal temperatures can elevate the levels of probable human carcinogens posing a risk to the public health. Tens of thousands of Zantac cases are pending in multi-district litigation in Florida.

4. **Biocell textured breast implants and tissue expanders** manufactured by Allergan have been linked to anaplastic large cell lymphoma, a rare form of non-Hodgkin's lymphoma most often located in the scar capsule around the implant. In 2019, after the FDA noted that data reviewed showed a 6 times greater likelihood of contracting anaplastic large cell lymphoma, it directed Allergan to issue a voluntarily recall. Early detection and removal of Biocell implants is vitally important in preventing the spread of cancer to other parts of the body. Adverse event data shows the median time from implantation to diagnosis is 8 years.

5. **Certain synthetic hernia mesh products** were rushed to the market in 2005 without adequate data to justify their safety and efficacy. Many of these meshes have failed by contracting and migrating, resulting in nerve damage, infections, bowel damage and the need for further surgery.

## BACK TO SCHOOL SAFETY TIPS

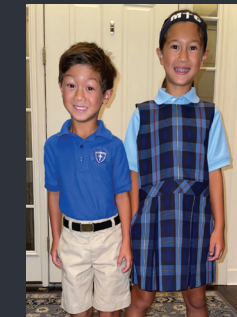
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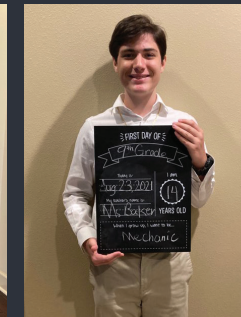
Greg's family summer vacation

### School Bus Safety

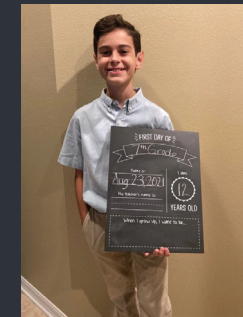
- Be sure the school bus comes to a complete stop before getting on or off.
- Stay seated the entire time.
- Always keep your head, hands, and arms inside the bus.
- Stay out of the roads when waiting for the school bus.



Finn – 1st Grade  
Lexie – 3rd Grade



Nicco  
9th Grade



Zachary  
7th Grade

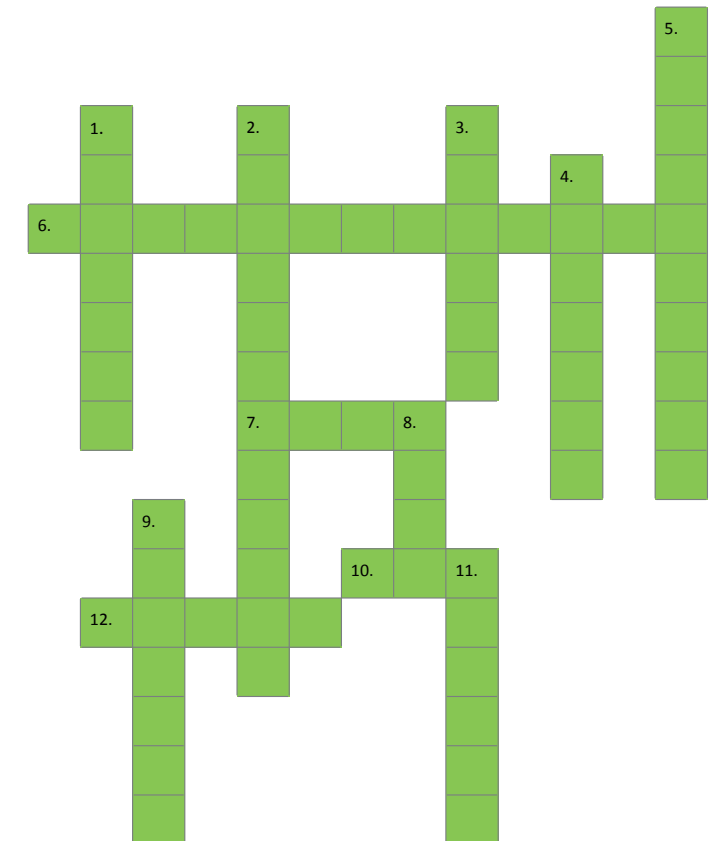


Samantha  
3rd Grade

## PURPOSEFUL PERENICH PUZZLE!

Enjoy our quarterly puzzle! Once you complete your brainteaser, send your correct answers, along with your mailing address to [carrie@perenichlaw.com](mailto:carrie@perenichlaw.com) for a Perenich Law care package.

1. Common line to drop off school kids
2. Cell phones are an example of these when driving
3. Wait for the crossing guard to give this before proceeding
4. They should always use public streets and sidewalks
5. Always stay under this in a school zone
6. Obey this person at school zone intersections
7. What you would find lined up in front of a school daily
8. The bus must come to a complete \_\_\_\_ before getting on or off.
9. Use crosswalks when crossing these
10. This is 15 in school zones
11. Most important accessory when riding a bike
12. Bus passengers exit and enter at the \_\_\_\_ of the bus



6. **Philips CPAP and Bi-Level PAP** lawsuit claims allege lung injuries and cancer from foam degradation in the product. Earlier this summer, Philips announced a voluntary recall for various Philips Bi-Level Positive Airway Pressure (Bi-Level PAP), Continuous Positive Airway Pressure (CPAP), and mechanical ventilator devices. The component used for sound abatement can disintegrate causing users to inhale toxic and potentially even carcinogenic substances. Philips has ascribed the degradation to unapproved cleaning methods or environmental factors such as high humidity. Nonetheless, its CPAP User Manual failed to warn of such potential health risks and dangers.

#### **Unsafe Products on the Market:**

**Paraquat** is an herbicide used in industrial farming primarily to control weed growth. It has also been linked to Parkinson's Disease. The Centers for Disease Control considers Paraquat more toxic than other herbicides. Its toxicity can result from ingestion, skin-absorption, or inhalation. Besides causing burns, it is known as a possible cause of birth defects and cancer. A June 2019 article in Environmental Health has noted that Paraquat is only one of two herbicides being used in the U.S. that have already been banned or are being phased out by the E.U., China and Brazil.

The causal connection between **Roundup weed killer** and cancer is the focus of many lawsuits and multimillion dollar verdicts. Recently, a \$25,000,000 judgment was upheld on appeal after the jury determined that Roundup was responsible for a California resident's diagnosis of non-Hodgkin lymphoma. Now Roundup's owner, Bayer, which had purchased Monsanto in 2018, is proposing a \$2 Billion Dollar settlement claim fund. Credible scientific studies published as early as 2019 found a 41% greater chance of contracting non-Hodgkin lymphoma when exposed to the active ingredient of Roundup.

#### **Environmental Disasters:**

The **Piney Point Phosphate Plant's Environmental Disaster** in Manatee County is only the latest in



a string of regulatory mishaps that have led to a wide range of contamination in our marine ecosystems, waterways, and endangerment of public health. The phosphate fertilizer plant, operated by Florida's Department of Environmental Protection (FDEP) from 2001 to 2004, was turned into a dredge disposal site after its original owner went bankrupt. Piney Point contains more than 400 acres of phosphogypsum stacks containing a radioactive byproduct of the fertilizer industry. The stacks were designed to safeguard contaminated water from escaping into the environment. But lawsuits filed by conservation groups against the FDEP and the Manatee County Port Authority allege that the leakage this past spring of millions of gallons of polluted water and the evacuation of hundreds of homes could have been avoided had state regulators heeded the warnings sounded years ago that the gypsum stack was at risk of failure. Environmentalists have asserted that the discharge of toxic wastewater has resulted in harmful algae blooms, fish kills, and dangerous levels of pollution capable of migrating into the aquifer. The safety of our drinking water is at issue in addition to millions of dollars in economic losses by nearby homeowners to the Piney Point Plant, harmful health effects, and economic losses to the marine and tourism industries. Last month, Florida filed a lawsuit against HRK Holdings, the plant's owner responsible for maintaining the site, seeking to recoup more than 45 million dollars spent on emergency contracting in dealing with the crisis.

#### **Building Disasters:**

The tragic collapse of **Surfside's Champlain Towers South** condominium building with resulting loss of life to 98 people is truly heartbreaking. The



# MASTERING MASS TORTS

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loss of life to so many, however, is unparalleled to the egregious circumstances of the collapse. Spanning more than 40 years, investigators are trying to unpack how a calamity of gross mismanagement, outright deception and lack of oversight were allowed to exist. Recent news reports have uncovered how the original developer aggressively lobbied building department officials to permit an additional level at the top of the structure, a 13th-story penthouse, after construction was already underway. Worse yet, the city allowed the builder's own engineer to inspect the project and sign off on the construction work. Both the architect and structural engineer on the project had run into problems on earlier projects involving insufficient structural loads. Investigators from the National Institute of Standards and Technology are still looking into the structural conditions that led to the collapse.

Our firm is deeply rooted in the Tampa Bay community and throughout Florida. We are a family of 3 brothers doing our level best to protect you and your family. We prosecute mass tort cases to advocate on behalf of our clients and their loved ones, but also to help build a better world where safety and health are placed in high regard over profits and corporate interests. That standard is our mission and will never be compromised.

*Gregory J. Perenich, Esquire*



# BACK TO SCHOOL SAFETY TIPS

By now, most of our children have started school for the 2021-2022 school year in the Tampa Bay Area. As we get back into a regular schedule for both parents and children, safety should always be everyone's number one priority.

Whether you take your kids to school in a vehicle, they ride a school bus, they ride a bike, or they walk, here are a few safety tips to keep in mind for the school year:

## School Zone Driving

- Put your cell phone away when driving in a school zone.
- Obey crossing guard signals.
- Never change lanes or pass other vehicles while driving in a school zone.
- Be aware of school zone signs and obey the speed limit.
- Always stop for school buses when they are picking up or dropping off children.

## Riding Your Bike

- Always wear a bike helmet.
- Ride with another person, if possible.
- Know the appropriate hand signals.
- Stay on the right-hand side of the road, following the same direction of traffic.

## Walking To School

- Use public streets or sidewalks when walking to school.
- Always use crosswalks when crossing streets.
- Walk with another person, if possible.
- Go straight home after school.