



NAPOLI
SHKOLNIK PLLC
ATTORNEYS AT LAW

MEDIA KIT 2016



TEAM PERFORMANCE

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WE LOOK FORWARD TO WORKING ALONGSIDE YOU.**



**NAPOLI
SHKOLNIK PLLC**
ATTORNEYS AT LAW

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PRACTICE AREAS | 05

We handle cases nationwide.

FROM LEFT Hunter J. Shkolnik, Partner,
Marie Napoli, Partner, and
Paul J. Napoli, Of Counsel.

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Experience, purpose and determination.

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Representing clients in complex litigation, arbitration proceedings and mediations.

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A tradition of sponsoring honorable and educational organizations.

LEGAL LEADERS

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FEATURING

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HOW CAN WE HELP?

Our clients come from across the United States. We work alongside local co-counsel across the country.

Asbestos Related
Illnesses

Aviation
Accidents

Complex
Litigation

Defective
Prescription Drugs

Defective
Medical Devices

Serious
Personal Injury

Social Security
Disability

Workers'
Compensation

World
Trade Center

WE EVALUATE CASES DAILY and we encourage you to contact Napoli Shkolnik PLLC to discuss steps for compensation for our clients as well as to speak about any new litigations.

We have active offices in California, Illinois (Madison County and Chicago), Delaware, Florida, Texas and our principal offices are in New York City and Long Island.

The following articles highlight some of the cases we are currently litigating or have recently resolved.


Our attorneys hold a variety of leadership positions (lead or liaison counsel, members of litigation steering committees) in numerous multi-district litigations for pharmaceutical cases.

Interested parties call (212) 397-1000.

TEAM PROFILES

We look forward to building a mutually beneficial relationship together.

FROM LEFT Marie Napoli, Partner, Paul J. Napoli, Of Counsel and Hunter J. Shkolnik, Partner.



NAPOLI SHKOLNIK PLLC is a national litigation firm providing representation to victims of defective prescriptions drugs and medical devices, asbestos-related illnesses, aviation accidents, complex litigation and other serious personal injury matters. ■

MARIE NAPOLI, PARTNER



MARIE NAPOLI has over twenty years of experience handling personal injury, medical malpractice, mass tort, and complex litigation matters. She is one of the few female partners in a top mass tort litigation firm with a successful and proven track record. She has worked for the New York Appellate Division, 2nd Department and has taught CLE courses on Tort & Civil Procedure at St. John's University School of Law.

As a founding partner of Napoli Kaiser Bern LLP, Marie was involved in many high level negotiations that resulted in favorable settlements for their clients. Notably, Marie was part of the team responsible for the billion dollar settlement in a major pharmaceutical case.

Marie understands the breadth of the legal issues that particularly affect women injured by pharmaceutical and other defective products. She is a breast cancer survivor and philanthropist. She channels her passion to create awareness and fund research through such organizations and events as The Bone Marrow Foundation, Inc., the Long Island Half Marathon and the New York City Marathon.

"It's not about assigned case numbers— it's about people."

BAR ADMISSIONS

- New York
- Missouri
- Illinois
- United States Supreme Court
- New York Supreme Court
- United States District Court, Eastern District of New York
- United States District Court, Southern District of New York

PROFESSIONAL AFFILIATIONS

- Founding Partner, Napoli Kaiser Bern LLP
- Advisory Board to Dean at St. John's University School of Law
- Board of Governors at St. John's University
- Associate Board Member, The Bone Marrow Foundation
- Founder, Paul and Marie Napoli Foundation
- New York State Bar Association

PREVIOUSLY SERVED AS

- Notes & Comments Editor, *St. John's Journal of Legal Commentary*
- Notes & Comments Editor, *St. Mary's Law Journal*
- President, St. John's Alumni Association, Nassau Chapter
- Vice President, Friend's Academy Parent Council
- Board Member, Glen Cove Boys & Girls Club

PUBLICATIONS

- *The Lord in the Law*
- *Reflections on a Catholic Law School*, *St. Mary's Law Review*
- *He Said, She Said*, *St. John's Journal of Legal Commentary* ■

MORE | <http://bit.ly/29XwMxR>



HUNTER J. SHKOLNIK, PARTNER



HUNTER J. SHKOLNIK leads the discovery and trial teams of various mass tort pharmaceutical and medical device litigations as well as aviation related product liability actions for the firm. He is also active in managing national litigation and plaintiff litigation groups including the American Association of Justice's Actos Litigation Group.

He is currently serving as a chairman, leader or court appointed representative on Plaintiff Steering Committees in various drug and other mass torts. He is also a sought after speaker on issues involving Guidant, Medtronic and St. Jude pacemakers, ICD and Lead Wire recall science and litigation; Cardiac Device product liability litigation, Class Actions topics such as Ethics of Mass Tort Settlements, Lone Pine, State Federal Coordination and Preemption and on multiple occasions, on science related to various pharmaceuticals.

Hunter has been included in the New York Metro Super Lawyer list every year since 2006. This peer recognition demonstrates achievement and overall professionalism.

BAR ADMISSIONS

- New York
- United States District Court, Eastern District of New York
- United States District Court, Southern District of New York
- New Jersey
- United States District Court, District of New Jersey

PROFESSIONAL AFFILIATIONS

- American Association of Justice (AAJ), The Actos Bladder Cancer Litigation Group, Co-Chair
- Litigation Counsel of America, Fellow
- New York State Trial Lawyers (NYSTLA), Board of Directors; Past Secretary, Assistant Treasurer and Treasurer
- Long Island Affiliate of the NYSTLA, Past President
- Nassau County Bar Association, Past Vice-Chairman, Medical Legal Committee
- American Association of Justice (AAJ), Past Vice-Chairman, Healthcare Finance Litigation Group
- American Association of Justice (AAJ) Health Orthopedic Implant Litigation Group, Past Vice-Chairman, Science Committee Director
- American Association of Justice (AAJ), Past Chairman, Health Breast Cancer Litigation Group
- American Association of Justice (AAJ), Co-Chair, Health Heart Device Litigation Group
- Selection Considerations for your Actos Inventory

PUBLICATIONS

- *Danger in the Ring* by Marie Brenner, *Vanity Fair*, January 2014
- *Divided They Fall: Concepcion's Effect on Consumer and Employee Claims* (Co-Author: Richard J. Arsenaault, Esq.), *NYSTLA*, Vol. 1, 2012
- Lecturer and Written extensively in the areas of Auto Product and Drug Product Liability ■

MORE | <http://bit.ly/29Pa8FN>



PAUL J. NAPOLI, OF COUNSEL



PAUL J. NAPOLI has achieved hundreds of verdicts and settlements valued over \$1 million for his clients and has also received many awards from his peers. He serves as a Board Member of the National September 11 Memorial & Museum and has previously served on the Board of Directors of the New York Trial Lawyers Association, is active in several bar associations, has been interviewed on numerous television shows, in newspaper and magazine articles and is frequently consulted by attorneys around the country on a variety of mass tort, professional malpractice and general liability issues.

Paul lobbied New York State and the U.S. Congress for and was instrumental in obtaining two important pieces of legislation to assist WTC- injured workers. These are an amendment to New York's General Municipal Law §50-1 ("JIMMY NOLAN'S LAW") that provided a one-year savings statute for otherwise time-barred first responder claims and the JAMES ZADROGA 9/11 HEALTH AND COMPENSATION ACT OF 2010 ("Zadroga Bill"), which provides for medical monitoring and cash awards for injured first responders and other WTC survivors, local office workers and community members injured by the post-9/11 fallout.

BAR ADMISSIONS

- New York
- Illinois
- Missouri
- United States District Court, Eastern District of New York
- United States District Court, Southern District of New York
- United States Court of Appeals for the Second Circuit
- United States Court of Appeals for the Third Circuit
- United States Supreme Court
- New York State Court, Appellate Division Second Judicial Department

PROFESSIONAL AFFILIATIONS

- National September 11 Memorial & Museum (Board Member)
- New York State Bar Association (Member)
- St. John's Loughlin Society (Benefactors' Council)
- St. John's University School of Law Dean's Advisory Counsel

PUBLICATIONS

- *The Cost of Contamination, American Water Works Association Journal, What's New in Water and Waste Water*, November 2012
- *Compensation through legislation for 9/11 responders and victims: An analysis of Zadroga* (Co-Author Brian Crosby), *Westlaw Journal - Toxic Torts*, Volume 29, Issue 8 / June 2011
- *Physician Liability In Diet Drug Litigation*, *NYLJ*, April 20, 1998

PROFILED IN

- Mundy, Alicia, *Dispensing with the Truth: The Victims, The Drug Companies, and the Dramatic Story Behind the Battle Over Fen-Phen*, St. Martin's Press, 2001.
- Depalma, Anthony, *CITY OF DUST: ILLNESS, ARROGANCE AND 9/11*, FT Press, 2010 ■

MORE | <http://bit.ly/29PcaGe>



LOUISE R. CARO, PARTNER



LOUISE R. CARO is the managing attorney for our Miami, Florida office. Her practice focuses on plaintiff's mass tort litigation, concentrating on helping people harmed by exposure to hazardous soil, water and air contaminants. Ms. Caro has represented clients harmed by a multitude of environmental pollutants and toxins such as arsenic, lead, and dioxin, in soils and public water supply wells.

MORE | <http://bit.ly/2abo3cp>



PATRICK N. HAINES, PARTNER



PATRICK N. HAINES is managing attorney for the firm's offices in Edwardsville, IL as well as in Austin, TX. His practice focuses on helping victims of asbestos and other toxic substances obtain compensation for their injuries. Patrick has represented over 1000 victims of mesothelioma from all over the U.S. and has successfully tried cases to verdict in Texas and Louisiana. His trial victories include the first asbestos verdicts ever against Borg Warner Corporation and Exxon Mobil. He has litigated cases involving injuries from vinyl chloride, benzene, carbon disulfide and drugs like Vioxx.

MORE | <http://bit.ly/29W6K0R>



JIM HEISMAN, PARTNER



JIM HEISMAN is the managing attorney for the Delaware office. He has been litigating complex commercial disputes on a national basis for over twenty years. His experience includes intellectual property litigation, unfair competition claims, trade secret and employee non-compete cases as well as construction and general business litigation. He is a frequent guest lecturer on topics involving patent litigation and construction law.

MORE | <http://bit.ly/29XE4BR>



NICHOLAS R. FARNOLO, PARTNER



NICHOLAS R. FARNOLO leads the Product Liability Department, handling all phases of litigation from intake to settlement or trial. Mr. Farnolo represents a variety of local, national and international clients in mass tort, class action, mechanical product liability, aviation, commercial, and personal injury matters. He was a Summer Associate in the Office of the Kings County District Attorney where he researched and wrote appellate briefs to the Appellate Division, Second Department and appeared on behalf of the People of the State of New York during arraignment proceedings.

MORE | <http://bit.ly/2awQOxR>



CHRISTOPHER R. LOPALO, PARTNER



CHRISTOPHER R. LOPALO is an experienced litigator who manages the firm's World Trade Center and Pharmaceutical Departments. His practice primarily focuses on the litigation of complex mass tort litigations involving products liability, personal injury, medical malpractice, wrongful death, environmental, negligence and class actions all over the country. Mr. Lopalo is an integral player in successfully recovering millions of dollars on behalf of the firm's clients.

MORE | <http://bit.ly/2aaSLRH>



SHAYNA E. SACKS, PARTNER



SHAYNA E. SACKS focuses her nationwide practice on obtaining the best results for her clients in the areas of mass tort litigation, including pharmaceutical products liability, personal injury, medical device and medical malpractice cases. She was recently appointed to serve as Plaintiffs' Liaison Counsel in the *In Re Plavix Product Liability and Marketing Litigation* by the Honorable Freda L. Wolfson of the United States District Court, District of New Jersey.

MORE | <http://bit.ly/29NHDMA>



PAUL B. MASLO, PARTNER AND GENERAL COUNSEL



PAUL MASLO is a Partner in the firm's Class Actions and Commercial Litigation Department. He is also the Department's Chair and the firm's General Counsel. Mr. Maslo has extensive experience representing plaintiffs and defendants in litigation involving securities fraud, antitrust violations, complex financial products, business torts, contractual disputes, valuation, partnership disputes, business dissolution, shareholder oppression, healthcare, and the sale of art.

MORE | <http://bit.ly/2a2hf1j>



MICHAEL Y. HAWRYLCHAK, DEPUTY GENERAL COUNSEL



MIKE HAWRYLCHAK is also part of the firm's Class Actions and Commercial Litigation Department. He has considerable experience representing plaintiffs and defendants in civil litigation, including securities fraud, civil rights, antitrust, and general commercial litigation. Mr. Hawrylchak has also clerked for Judge I. Leo Glasser in the U.S. District Court for the Eastern District of New York.

MORE | <http://bit.ly/2aftC8e>



VERDICTS AND SETTLEMENTS

Building on the firm's ongoing success, we represent clients in complex litigation, arbitration proceedings and mediations.



"The ability to help a client, often at a time when they need it most and have nowhere else to turn, is ultimately rewarding."

MARIE NAPOLI, PARTNER

\$ 30.75 Million Settlement

For a class of over 4500 Oklahoma royalty interest owners against several big oil companies for their unauthorized deduction from royalty payments owed to claimants.

\$ 650 Million Settlement

The firm negotiated this settlement to resolve the claims of approximately 4,000 Pradaxa® users who claimed to have been injured by the drug.

\$ 17 Million Settlement

This settlement was reached on behalf of four U.S. Military Servicemen who were killed in a UH-60A Blackhawk helicopter crash. The action alleged improper maintenance and servicing of the DynCorp International LLC accident aircraft.

Multi-Million Dollar Settlement

'Fracking' Settlement for over 50 residents of Dimock, PA, in actions against a natural gas companies for contamination of their drinking water supply wells. Featured in the award-winning 2010 documentary *Gasland* that focuses on the environmental impacts of natural gas drilling operations.

\$ 47.5 Million Settlement

For injuries sustained by Rescue and Recovery workers at ground zero from toxic dust recovered from The Port Authority of New York and New Jersey.

\$ 100 Million Settlement

This settlement was reached on behalf of the injured women who used the birth control device, NuvaRing®.

\$ 24.5 Million Settlement

For injuries sustained by Rescue and Recovery workers at Ground Zero from toxic dust at Fresh Kills landfill.

\$ 10 Million Settlement

For over 300 residents of Brooklyn, NY, in their action against several oil companies for personal injury and property damage caused by one of the longest ongoing oil spills in United States history.

\$ 8 Million Federal Court Settlement

The firm obtained this settlement on behalf of a senior citizen who was struck by a Mack truck tractor trailer while walking in a crosswalk. The pedestrian suffered a traumatic leg amputation after being run over by the truck.





“We combine strong trial advocacy with the unparalleled use of technology in order to give our clients the best representation available.”

HUNTER J. SHKOLNIK, PARTNER

\$ 816.45 Million Settlement

For injuries sustained by Firefighters, Police Officers and Construction Workers at Ground Zero from toxic dust.

\$ 7.8 Million Settlement

Value on behalf of customers whose personal and financial information was compromised due to the company's failure to properly protect this information.

\$ 2.5 Million Settlement

Against an investment advisor firm for breach of their fiduciary duties to their clients.

\$ 52 Million Settlement

For environmental contamination of municipal water supplies of MTBE by Petroleum Refiners and Retailers.

\$ 11 Million Settlement

For a water district serving over 48,000 residents in an action against several industrial entities for contamination.

\$ 28 Million Settlement

For injuries sustained by Rescue and Recovery Workers at Ground Zero from Toxic Dust while working on the Barges and Piers.

\$ 2 Million Settlement

Our client was exposed to asbestos during his career as an insulator. At the direction of the owners and general contractors, he was brought into direct contact with asbestos-containing products through his work. The firm successfully obtained this settlement on behalf of our client and his family against major oil companies such as ExxonMobile, Shell Oil Co., and Chevron/Union Oil as well as major contractors and products manufacturers.

\$ 7 Million Settlement

For a water district and its more than 3,000 clients for damages resulting from MTBE contamination of drinking water supply wells in Rhode Island. ■

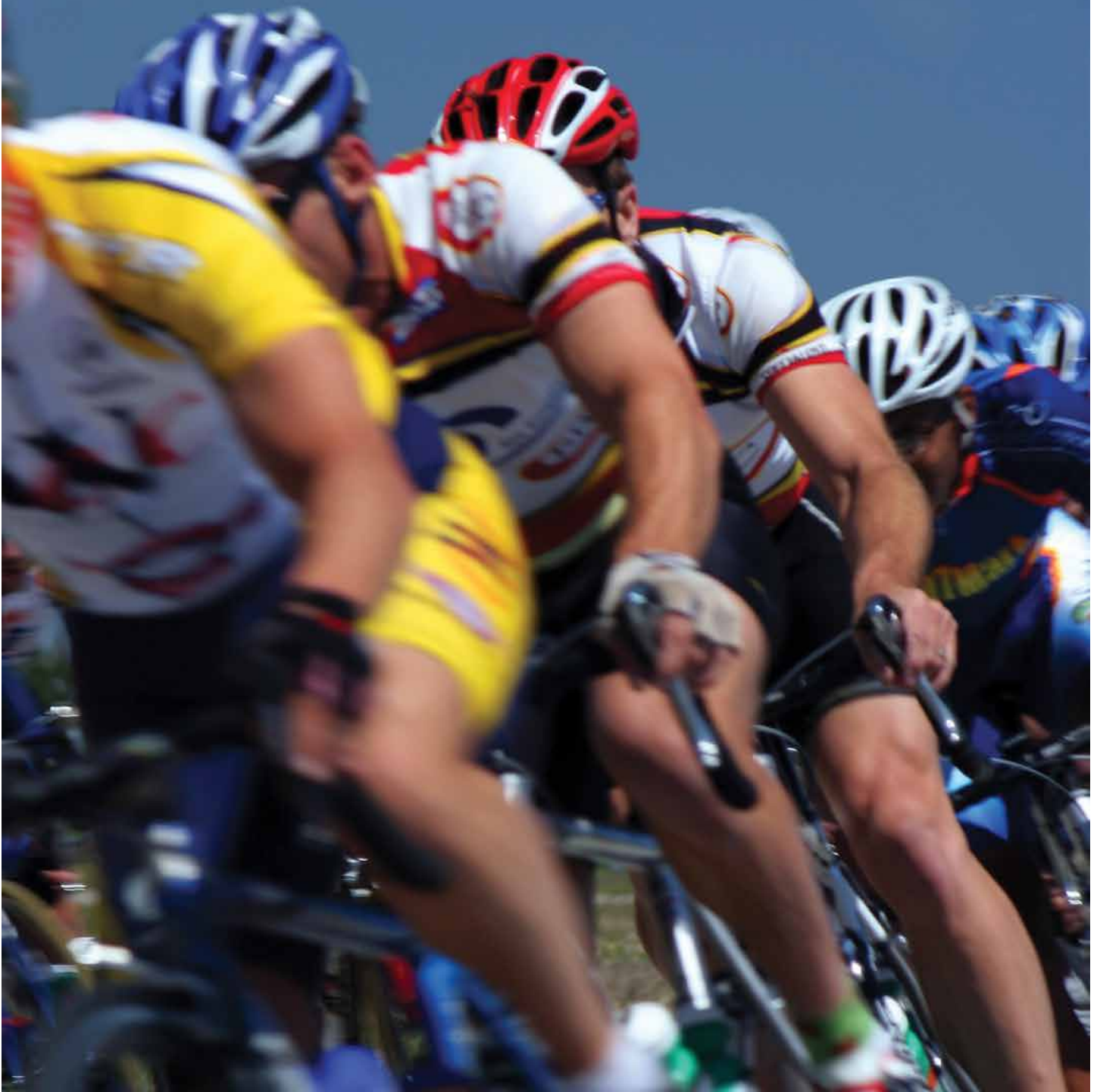
“Our firm’s continuing drive to provide the highest level of service maximizes our clients’ potential recovery.”

PAUL J. NAPOLI, OF COUNSEL



MEDIA EXCERPTS

Napoli Shkolnik PLLC partners and attorneys remain at the forefront of many litigations and therefore are sought after speakers. They have been interviewed in newspaper and magazine articles around the country on a variety of legal issues.



MAN WHOSE DOUBLE MURDER CONVICTION WAS OVERTURNED NOT IN THE CLEAR YET

Emily Saul

New York Post

July 21, 2016

“This is an 11-year-old botched investigation that is keeping my client behind bars,” Napoli Shkolnik Attorney Craig Phemister said, addressing the judge. “...It would be unjust for my client to remain incarcerated.”

A BROOKLYN MAN whose double murder conviction was overturned after 11 years in prison will have to wait another 13 days to learn if he'll be set free—or have to endure a second trial.

Wayne Martin was locked up for life without parole following his 2010 conviction for fatal shootings of East Flatbush tire shop owner Gary Turner and employee Ricardo Davis.

But Brooklyn Supreme Court Justice Matthew D'Emic overturned the conviction on July 7, after the DA's Conviction Review Unit announced an investigation into whether trial prosecutor Marc Fliedner—who has since retired— withheld potentially exculpatory evidence.

Martin appeared in court Thursday, flanked by two new defense attorneys, eager to walk out of court and into the arms of waiting family.

Yet assistant district attorney Mark Hale informed the gallery their investigation had hit a snag, given that a witness who had previously agreed to cooperate was now receiving death threats.

And Martin's new attorneys, James Henning and Craig

Phemister, said they had yet to receive files from their client's previous attorneys, and could not move forward until then.

“This is an 11-year-old botched investigation that is keeping my client behind bars,” Phemister said, addressing the judge. “We're dealing with a lead investigator who obviously had some serious issues. It would be unjust for my client to remain incarcerated.”

Fliedner, now in private practice, has said he's being lampooned by the DA's office because he publicly bashed DA Ken Thompson as a relentless politician in an interview after leaving the office.

Judge D'Emic declined to set bail Thursday, but indicated he did not want to keep Martin locked up “any longer than necessary.”

Martin is currently scheduled to return to court August 3. ■

MORE | <http://nyp.st/2aagRLv>



FLINT FAMILIES PRESS CONGRESS FOR LEAD COMPENSATION

Keith Laing, Detroit News Washington Bureau

The Detroit News

July 12, 2016

Paul Napoli, who represented the Sept. 11 first responders in their push for compensation, said Tuesday “it’s certainly billions of dollars that would be required” to repay victims of the contaminated Flint water.

WASHINGTON — Three Flint families are pushing Congress to establish a compensation fund for victims of the city’s lead-contaminated water crisis.

The families say that the city’s 100,000 residents should be able to access a compensation fund that is similar to the one that was set up for first responders of the Sept. 11, 2001, terrorist attacks to make up for the hardships they still are experiencing from the water crisis.

“It’s been just a constant headache dealing with the water, wall-to-wall (bottled) water,” said Vance Griffis, who said his daughters Kareemah, 6, and Yanni, 14, have tested positive for lead.

“Having to get up and brush your teeth with the (bottled) water every morning, because when I wake up every morning, I think bottled water now to brush the teeth, to take the bath,” he added. “Then they’re talking about cutting the (bottled) water (distribution) down, all which is ridiculous.”

Griffis said a compensation fund “should be a given” with Gov. Rick Snyder and the mayor of Flint “...because of the simple fact it is a mistake they all made.”

Griffis’ family was one of three that traveled to Washington on Tuesday to meet with lawmakers about the possibility of setting up the compensation fund. They met with U.S. Sens. Debbie Stabenow, D-Lansing, and Gary Peters, D-Bloomfield Township, and Rep. Dan Kildee, D-Flint Township.

Stabenow said discussions with the families included expanding Medicaid for children and providing Ready to Feed formula for mothers.

“During the meeting, we reiterated our support for the state of Michigan to create a future fund to compensate victims affected by this terrible crisis,” Stabenow said.

Peters promised to “continue working to secure federal resources to help upgrade infrastructure and expand critical services like Head Start.”

“The state of Michigan has a responsibility to ensure Flint families, especially children who were exposed to lead, have the support and resources they need to rise above this tragedy, and that includes setting aside sufficient resources in a reserve fund to meet the long-term health and educational needs of Flint’s children,” said Peters.

Kildee, meanwhile, said “the Flint water crisis is an ongoing public health emergency and the residents of Flint are American citizens and deserve help from both their state and federal government.”

Melissa Lightfoot of Flint said the grades of her daughters Kamryn, 8, and Payton, 5, have dropped and they have exhibited behavioral issues since they were exposed to lead in the city’s containment water.

“For everybody else, water is something you don’t think much of, because you go to your faucet for a cup of water, you can just go on about your day,” she said. “For us, we’re not able to do that. We have to go ‘Oh, I have to go to my basement and get another thing of bottled water because we used all the ones that we had.” ■

MORE | <http://detne.ws/29MB1cH>



NAPOLI SHKOLNIK PLLC FILES CLASS ACTION AGAINST QUEST DIAGNOSTICS AND EXAMONE

Benzinga

July 6, 2016

The plaintiff is possibly one of thousands of New York and national employees who work or worked for Quest as Mobile Examiners and were not paid in accordance with federal and state law.

NAPOLI SHKOLNIK PLLC filed a class action lawsuit in the Southern District of New York on behalf of lead plaintiff and New York County resident, Maria Vecchio, and on behalf of all others similarly situated, against Quest Diagnostics Inc., ExamOne World Wide Inc., and ExamOne LLC. Our firm is also seeking to represent other current and former Mobile Examiners who worked for Quest and affiliated Quest entities across the country. Our lawsuit alleges the following violations:

- not paying overtime wages;
- not paying New York and federal minimum wage;
- not providing employees proper wage statements (pay stubs); and
- not reimbursing business expenses.

Ms. Vecchio and her attorneys believe that Quest and its subsidiaries have violated the above state and federal labor laws. She is possibly one of thousands of New York and national employees who work or worked for Quest as Mobile Examiners and were not paid in accordance with federal and state law. This action is presented as an opt-in collective action on behalf of herself and all similarly affected individuals for violations of the federal Fair Labor Standards Act, as well as a class action for Quest's violations of state labor law.

Mobile Examiners who worked for Quest within the past 6 years, and you believe their rights were violated as described above or in any other way, are encouraged to contact an NS attorney today. ■

NAPOLI SHKOLNIK PLLC ATTORNEY JENNIFER LIAKOS NAMED TO PLAINTIFFS' EXECUTIVE STEERING COMMITTEE IN VIAGRA PRODUCTS LIABILITY ACTION

MarketWired

June 24, 2016

“The allegations in the Viagra cases are very serious. Melanoma is the most severe type of skin cancer and often requires treatment with chemotherapy and radiation. This litigation presents a great chance to work with a group of very capable lawyers representing clients who have been seriously wronged,” says Ms. Liakos.

CONGRATULATIONS TO Napoli Shkolnik attorney Jennifer Liakos for being appointed on the Plaintiffs' Executive Steering Committee in the *In re Viagra (Sildenafil Citrate) Products Liability Litigation (MDL 2)* by United States District Judge Richard Seeborg of the United States District Court of California.

Earlier this year, plaintiffs in seven actions filed to have this litigation centralized under a MDL in the Northern District of California. Since the filing of the motion, an additional fifteen related actions in seven additional districts have been taken into account. On the basis of the papers filed and the hearing session held, it has been decided that these actions consider common questions of fact, and that centralization will serve the convenience of the parties and witnesses and promote the just and efficient conduct of this litigation. These actions share factual questions arising out the allegation that Viagra (Sildenafil Citrate) causes or increases the risk of developing melanoma and that the defendant failed to warn

consumers and health care providers of the alleged risk.

As a member of the Plaintiffs' Executive Steering Committee, Jennifer Liakos will continue to investigate and develop the claims while also initiating, coordinating, and conducting all informational discoveries on behalf of the plaintiffs. Her practice focuses primarily on mass tort litigation, including pharmaceutical product liability, personal injury, and medical device litigation making Jennifer a more than suitable member on the steering committee. As an attorney in our Pharmaceutical Litigation Department based in the El Segundo, California office, Jennifer Liakos is a proud representative of Napoli Shkolnik PLLC.

“The allegations in the Viagra cases are very serious. Melanoma is the most severe type of skin cancer and often requires treatment with chemotherapy and radiation. This litigation presents a great chance to work with a group of very capable lawyers representing clients who have been seriously wronged,” says Ms. Liakos. ■

MY KID GOT SUNBURNED BECAUSE OF MISLABELED SUNSCREEN

Ross Toback

New York Post

June 22, 2016

Additional reporting by Jody Godoy and Joe Van Acker. Editing by Ben Guilfooy.

Hunter Shkolnik accuses the company, which rakes in \$25 million in sales each year of “defrauding unsuspecting customers.”

JUMPING ON A REPORT that found many sunscreens overstate their protection factors, a Brooklyn parent has filed a class-action lawsuit against the makers of Banana Boat Sunscreen, saying he bought a bottle of kids lotion that was supposed to be SPF 50 but turned out to only have an SPF of 12.

“Defendants have known, or should have known, for years that Banana Boat Kids SPF 50 products contain less UV protection than Defendants advertise,” reads the lawsuit, which was filed Wednesday against Playtex Products, Edgewell Personal Care Company and Sun Pharmaceutical.

Paul Lambrakis purchased the tube of Banana Boat Kids SPF 50 in May after a Consumer Reports study found that it and many other sunscreens were overstating their protection factor. He sent the tube to a laboratory in Winston Salem, N.C., to have tested, according to the lawsuit filed in Brooklyn federal court.

The results found that the bottle had an actual SPF that wasn’t even half as strong as advertised, court papers say.

“The investigation concluded that Banana Boat Kids SPF 50 sunscreen, clearly labeled as containing SPF 50, shockingly contained only an SPF of 12.69 and a measured UVA protection factor of 4.88,” the lawsuit reads.

Now Lambrakis is alleging that he and others in the class action suit were forced to “overpay for the sunscreen based upon false, inflated SPF,” according to the

documents.

“They were unhappy when the suntan lotion was a complete lie,” Lambrakis’s lawyer, Hunter Shkolnik, said.

“They were putting this stuff on their children. They made a point to buy it. They were getting burnt.”

He accused the company, which rakes in \$25 million in sales each year, of “defrauding” unsuspecting customers.

“You don’t want to think its wrong but there’s no quality control,” he said. “This is a straight-forward case. People are spending money for this stuff!”

Playtex, Edgewell and Sun Pharmaceutical did not immediately respond to requests for comment.

The lawsuit comes after a Consumer Reports investigation found that 43 percent of the more than 60 sunscreens they tested failed to measure up to the SPF claims advertised on their bottles.

“In May of 2016, Consumer Reports research revealed that among ‘the most problematic products were Banana Boat Kids Tear-Free, Sting-Free Lotion...which [was] labeled as SPF 50 but [was] found to have only SPF 8,’” the lawsuit reads.

“Defendants have been notified of the false advertisement but have not remedied the problem.” ■

MORE | <http://nyp.st/2ahwXVm>



MORE UBER DRIVERS OBJECT TO \$100M SETTLEMENT

Matthew Bultman

Law360

May 6, 2016

Additional reporting by Linda Chiem and Kerry Benn, Editing by Stephen Berg

“Uber has a long, long road to travel before it is in compliance with the labor laws,” Paul J. Napoli of Napoli Shkolnik PLLC, an attorney for Alcala and Borgen, told Law360 on Friday. “Technology cannot erase an employer’s obligations to maintain a workers basic rights.”

THE LIST OF OBJECTIONS to Uber Technologies Inc.’s \$100 million settlement of a pair of high profile driver class actions continues to grow in California federal court as more people speak out against the deal, including two drivers who on Thursday called the payout “insultingly low.”

Leticia Alcala and Marc Borgen said that the settlement, which would end a legal battle over claims that Uber misclassified drivers as independent contractors and denied them proper tips, has caused an uproar due to its unfairness.

Under the deal, which was announced in late April, Uber would pay 385,000 California and Massachusetts drivers \$84 million, with an additional \$16 million to come if the company goes public and meets certain performance metrics.

Alcala and Borgen, who called it a “sweetheart deal” between Uber and lawyers for the class of drivers, said that based on information provided by the plaintiffs, more than half the settlement class could receive an average of \$24 or less.

“Only plaintiffs’ counsel and the class representatives — who could receive upward of \$73,000 — stand to make any real money in this deal,” the two wrote.

How much of the settlement each driver receives will be based on the number of miles he or she has driven

during the relevant time period. The deal, which still needs to be

approved by a federal judge, also includes several non-monetary provisions, such as Uber agreeing to provide drivers with more information about their individual ratings and introducing a policy that explains the circumstances under which they could be deactivated from the service.

The settlement notably does not resolve the central issue in the litigation of whether Uber drivers should be classified as employees rather than independent contractors.

Alcala and Borgen called those nonmonetary provisions “mere window dressing for an otherwise deficient agreement,” noting that they are set to expire within two years. Uber may, however, choose to keep them in place after that.

“Since its announcement, the proposed settlement has received a negative reaction from Uber drivers and the press,” they wrote, citing as evidence a poll on Uberpeople.net, a forum for Uber drivers, in which more than 53 percent of the drivers polled felt the settlement was a “setback.” ■

MORE | <http://bit.ly/1UgsuBq>



TRIO OF PLAINTIFFS' FIRMS PICKED TO LEAD DAILY FANTASY MDL

Pete Brush

Law360

March 31, 2016

Editing by Catherine Sum

“This slate of attorneys (including Hunter Jay Shkolnik) also appears to have broad support among the plaintiffs’ attorneys as a whole, further supporting a conclusion that they will fairly and adequately represent the interests of any plaintiff class,” the judge wrote.

THE BOSTON FEDERAL JUDGE handling some 86 suits including class actions accusing daily fantasy sports giants DraftKings and FanDuel of fraud and other illegal conduct picked attorneys from Jones Ward PLC, Napoli Shkolnik PLLC and Stull Stull & Brody on Thursday as co-lead counsel tasked with coordinating a slew of pretrial matters.

The task falls to Jasper D. Ward of Jones Ward PLC, Hunter Jay Shkolnik of Napoli Shkolnik PLLC and Melissa R. Emert of Stull Stull & Brody, according to an order from U.S. District Judge George A. O’Toole Jr., who picked up the multidistrict case Feb. 4.

“This slate of attorneys also appears to have broad support among the plaintiffs’ attorneys as a whole, further supporting a conclusion that they will fairly and adequately represent the interests of any plaintiff class,” the judge wrote.

The group will handle matters including discovery on a wide range of cases with differing theories of liability.

There are “insider trading” cases claiming the companies allowed their employees to gain an unfair advantage in competitors’ fantasy contests by using inside information, illegal gambling” cases accusing the companies of violating various antigambling laws and “bonus fraud” cases over an allegedly misleading promotional program used by DraftKings.

A competing motion to appoint John Roddy of Bailey &

Glasser LLP, Brendan Glackin of Lieff Cabraser Heimann & Bernstein LLP and Amy Williams Derry of Keller Rohrbach LLP as co-lead counsel was denied.

The co-leads said they were honored to have been appointed.

“We have a very committed group who are dedicated to pursuing this case,” Emert said.

Christopher Weld Jr. of Todd & Weld was selected as liaison counsel. An executive committee, to be chaired by the three co-leads, will be comprised of attorneys John A. Yanchunis of Morgan & Morgan, Jennifer L. Duffy, D. Todd Mathews of Gori Julian & Associates PC, W. Lewis Garrison Jr. of Heninger Garrison & Davis LLC, Kevin S. Hannon, Robert K. Shelquist of Lockridge Grindal Nauen & Holstein, Michael J. Flannery of Cuneo Gilbert & LaDuca LLP, Alan Carl Milstein of Sherman Silverstein Kohl Rose & Podolsky, and Richard S. Cornfeld, according to Judge O’Toole.

Two other applications, one filed by Guy M. Burns of Johnson Pope Bokor Ruppel & Burns LLP and one filed by Frank L. Watson III of Watson Burns PLLC, were also denied. Burns had sought a co-lead spot or a spot on an attorney executive committee, and Watson had sought a spot on the executive committee. ■

MORE | <http://bit.ly/1S2XEYo>



LAWYERS FOR FLINT WATER VICTIMS HIRE D.C. LOBBYISTS

Catherine Ho

The Washington Post

March 16, 2016

If approved by Congress, the fund could draw from federal and state money to pay for residents' health care costs.

A PERSONAL INJURY LAW FIRM representing Flint residents has hired Washington lobbyists to push Congress to create a victim compensation fund for people affected by the Michigan city's contaminated drinking water.

Attorneys at the law firm Napoli Shkolnik previously secured millions of dollars in settlements for firefighters, police officers and other Ground Zero workers for ailments related to the 9/11 terrorist attacks.

This month Napoli hired lobbyists at the boutique D.C. firm Envision Strategy as it pushes to get similar type of relief for the 1,000 Flint residents it represents who are dealing with health issues caused by the city's poisoned water supply.

If approved by Congress, the fund could draw from federal and state money to pay for residents' health care costs.

"The game plan is to try and figure out what the needs are of the people of Flint," said Brett Heimov, a lobbyist at Envision and a former aide to Rep. Jerrold Nadler (D-N.Y.) who previously lobbied for legislation authorizing the 9/11 Victim Compensation Fund. "We'll sit down and reach out to the Michigan delegation to craft legislation to try to make it happen."

The other lobbyists working on the Flint matter are Steve Schultz, Carol Pineau and Steve Stallmer.

The public health crisis in Flint occurred after the city switched to a new water source, the Flint River, in 2014 as a moneysaving measure. But local officials failed to

treat the water with a chemical that would have prevented lead in the pipes from corroding and contaminating the water. As a result, thousands of residents were exposed to dangerous levels of lead. For months, residents complained about the taste, odor and color of the water. But officials repeatedly downplayed the concerns.

At a House hearing Tuesday, lawmakers criticized former Michigan officials and a former Environmental Protection Agency regional administrator for their roles in the decisions that led to the water contamination in Flint and how they deal with its aftermath.

"You screwed up and you ruined people's lives," House Oversight and Government Reform Chairman Jason Chaffetz (R-Utah) told former EPA official Susan Hedman, who resigned in February in the wake of the crisis.

Michigan Gov. Rick Snyder, who is under pressure to resign, is scheduled to appear before the committee Thursday.

Last month, a bipartisan group of senators led by Michigan Democrats Debbie Stabenow and Gary Peters and Environment and Public Works Committee Chairman James M. Inhofe (R-Okla.), reached a deal to provide funding to help Flint and other cities struggling to replace aging pipes. The deal includes \$70 million in credit subsidies for water infrastructure projects, \$100 million in subsidized loans for water infrastructure improvements and \$50 million for public health programs. The aid package would be offset by rescinding \$250 million in loan credits for a program that was intended to help auto companies develop fuel economy technology. ■

HELICOPTER CRASH LAWSUIT REVIVED AGAINST SOFFER

Celia Ampel

Daily Business Review, an ALM Web Site

February 18, 2016

Hunter Shkolnik represents Gogoleva in the federal case and said his client was pleased the Third DCA ruled in her favor. “Now a jury can consider their claim that she was not advised that Mr. Soffer was the pilot when her husband died,” he said.

A STATE APPELLATE COURT on Wednesday revived a lawsuit accusing billionaire developer Jeffrey Soffer of causing a fatal helicopter crash.

The Third District Court of Appeal will allow Daria Gogoleva, whose attorney-husband died in the crash, to amend her complaint against Soffer and others on the other helicopter. The court reversed Miami-Dade Circuit Judge Daryl Trawick's dismissal of wrongful death, conspiracy and fraud claims.

Soffer led the \$1 billion expansion of the Fontainebleau Miami Beach, and his family developed much of Aventura.

“We are thrilled that the appellate court thoughtfully and carefully reviewed all of the arguments, ruled in our favor and provided our clients with the ability to have their day in court,” said Gary Phillips of Phillips, Cantor, Shalek, Rubin & Pfister in Hollywood, who represented Gogoleva with his colleague Edward Pfister.

The helicopter carrying Gogoleva's husband, tax attorney Lance Valdez, crashed on Thanksgiving Day 2012 in the Bahamas. Gogoleva's complaint alleges Soffer, who was in the co-pilot's seat, was controlling the helicopter when it crashed. He is a licensed pilot but was not licensed to fly the Aerospatiale Twin Star helicopter.

Pilot David Pearce flew for “at least part of the flight” until it approached the landing site and crashed, killing Valdez and injuring Soffer, Pearce and passengers Paula and Daniel Riordan, according to the decision. Daniel

Riordan is an executive with Turnberry Associates, the Soffer family's real estate company.

The helicopter was covered by a \$2 million North American Elite Insurance Co. insurance policy, and the survivors agreed Gogoleva and her three children should collect the full amount. Her signed release contained an “unusual feature,” the Third DCA noted. It included a promise that Gogoleva, Soffer and the Riordans would release each other from future legal claims. All four of them were represented by the same lawyer, Steve Marks of Podhurst Orseck in Miami.

Marks didn't tell Gogoleva there could be a conflict of interest or let her know she wasn't required to release Soffer and the Riordans to receive the \$2 million, she claims. Marks is not a party to the lawsuit.

Gogoleva sued Soffer, the Riordans and Alex Kryz, a senior executive with Soffer's real estate group who allegedly told Gogoleva she should join the crash survivors in retaining Marks.

Gogoleva claimed the defendants lied to her about who caused the crash and conspired to get her to release them from liability. She also sought to rescind the part of the agreement that released Soffer and the Riordans. ■

MORE | <http://bit.ly/1PYDdSi>



REPORT: PAYMENT PROCESSOR DEALS ANOTHER BLOW TO DAILY FANTASY SITES

A.J. Perez and Brent Schrottenboer

USA Today Sports

January 29, 2016

Hunter Shkolnik is a lawyer representing a New York resident who claims the companies illegally issued loans and collected gambling debts.

DAILY FANTASY SPORTS sites DraftKings and FanDuel have been sued by athletes and users and declared illegal under the laws of a handful of states in recent months.

But arguably the biggest blow came Friday as a major payment processing company declared it would no longer process payments for daily fantasy sites in the U.S. beginning next month.

According to the New York Times, Vantiv Entertainment Solutions told customers in the United States it will stop processing on behalf of daily fantasy sports sites as of Feb. 29.

Firms such as Vantiv handle the deposits and payments for daily fantasy sites. Minus payment processing companies, the sites have no intermediary between themselves and players — a cog that puts the viability of daily fantasy sports sites in question.

While the attorneys general for New York, Texas, Hawaii, Mississippi and Illinois have deemed daily fantasy sports illegal under state law, those who follow the industry have kept an eye on the payment processing companies.

Payment processors such as Vantiv, PayPal and PaySafe — along with credit card companies — have been targets of lawsuits seeking class action status filed on behalf of daily fantasy sports players.

"I don't think they need to take the risk until the issue is resolved," Hunter Shkolnik, a lawyer representing a New York resident who claims the companies illegally issued

loans and collected gambling debts, told USA TODAY Sports on Friday. "There is no upside for them. I think they want to see where this is all going. They don't want it to appear that they're facilitating illegal gambling."

PayPal said in a statement to USA TODAY Sports that it was "aware" of Vantiv's decision to withdraw from the daily fantasy sports processing business.

"We continue to review and consider ongoing developments in relation to daily fantasy sports, including this one, in assessing our position and obligations in relation to providing payment services to fantasy sports merchants," PayPal said in the statement. "We will take the time necessary to carefully review ongoing developments and will be notifying our merchants and customers if and when we make any decisions that involves the provision of PayPal services to fantasy sports services."

While Mississippi and Hawaii this week became the latest states to declare daily fantasy sports unlawful, only one state so far has sought to halt daily fantasy sports from operating. New York Attorney General Eric Schneiderman was granted an injunction to prevent FanDuel and DraftKings from operating, although the injunction was stayed pending ongoing appeals sought by the sites.

Earlier this week, former Northern Illinois University running back Akeem Daniels sued FanDuel and DraftKings, alleging the sites made millions off the use of his name. Washington Redskins wide receiver Pierre Garçon filed a similar lawsuit against both companies on behalf of NFL players in October. ■

SOUTHWEST AIRLINES PILOTS FOUND RESPONSIBLE FOR HARD LANDING CRASH AT NEW YORK'S LAGUARDIA AIRPORT THAT INJURED PASSENGERS

PRLog

December 17, 2015

NAPOLI SHKOLNIK PLLC filed a lawsuit for serious injuries sustained by a passenger when Southwest Airlines Flight 345 had a hard landing at New York's LaGuardia Airport on July 22, 2013 resulting in the planes landing gear crashing into the planes passenger compartment. Recently the NTSB determined the cause of the crash was the result pilot error.

According to the NTSB, On July 22, 2013, a Boeing 737, Southwest Airlines flight 345, landed hard, nose-first, on Runway 4 at LGA. Of the 144 passengers and five crewmembers on board, eight sustained injuries and the airplane was substantially damaged. The NTSB found that contributing to the accident was the captain's failure to comply with standard operating procedures during the approach. NTSB found that the first officer was conducting the approach, and the captain took control away from the first officer, but not un-

til the plane was 27 feet above the ground. This late transfer of control from the first officer to the captain resulted in neither pilot being able to effectively monitor the airplane's altitude and pitch attitude. According to the Southwest Airlines Flight Operations Manual, the captain should have called for a go-around well before this point in the approach instead of trying to salvage the landing.

Dr. Kenneth Kochman suffered serious spinal injury resulting in extended periods of loss of work for weeks and months after the landing.

These events are particularly troubling since many passengers may not realize they have experienced a hard landing and suffered injury until weeks or months later. A knowledgeable aviation attorney is able to identify and determine if a hard landing occurred and whether it was due to pilot error or mechanical issues. ■

FORMER NEW YORK CITY COMPTROLLER JOHN LIU WILL JOIN CHINESE ACTRESS VERONICA WU (YIP) TO SPEAK ABOUT 9/11 RELATED CANCERS IN CHINATOWN

The World Journal

December 7, 2015

MOST OF THE RESIDENTS of Chinatown are not aware that they may be eligible for compensation if they developed cancer after 9/11 and lived or worked below Canal Street. Almost all of Chinatown in New York is in the exposure zone. Those individuals who were in the exposure zone between September 11, 2001 and May 30, 2002 may be eligible for compensation.

Former New York City Comptroller, Mayoral Candidate and New York City Council Representative John Liu will be joining Ms. Wu at Napoli Peterson PLLC located at 1301 Avenue of the Americas, 10th Floor New York, New York 10019 on December 9, 2015 at 2PM.

"You don't need to be a rescue worker or have been injured during the attacks. If you worked or lived below Canal Street during the period of September 11th, 2001 and 2002, and developed cancer, even years later, you may be eligible for cancer compensation." Says Veronica Wu (Yip). Yip continues, "This compensation is a significant monetary program of which the Federal government has not adequately advised Chinatown residents. Additionally almost all of the Chinatown residents are unaware that they are eligible for free medical monitoring and treat-

ment through the World Trade Center Health Program."

"Residents of Chinatown are eligible for the 9/11 Victim Compensation Fund which provides money to individuals who developed cancer or relatives of deceased individuals who died of cancer even years after the attacks." Stated 9/11 lawyer Marie Napoli. "But people must act quickly since the compensation program may be soon shutting down."

Mr. Liu was the first Asian American in history to be elected to the NYC city council. Along with Hong Kong Actress and 2nd runner-up in the 1985 Miss Asia Pageant Veronica Wu (Yip), he wants to bring awareness of the 9/11 Victim Compensation Fund to all residents of Chinatown. Although almost all of the residents of Chinatown are in the exposure zone, most of them have never heard of the 9/11 Victim Compensation Fund or the World Trade Center Health Program. The residents of Chinatown have not been adequately informed of the 9/11 related benefits available to them through the James Zadroga 9/11 Health and Compensation Act. Although some deadlines have passed, there still may be some time for a lot of the Chinatown residents to apply for Compensation and health benefits. ■

50 CENT CLAIMS HE OWES CREDITORS OVER \$28 MILLION

Julia Marsh

*NYP*ost.com (Page Six)

July 17, 2015

Hunter Shkolnik, an attorney for the Florida woman who won the \$5 million sex-tape jury verdict scoffed at his (50 Cent's) bankruptcy plea, saying he is crying poverty to dodge the payout.

FOR A GUY whose motto is "Get Rich Or Die Tryin'," 50 Cent sure wants everyone to think he's broke.

The rapper on Thursday released a list of his top 20 creditors, to whom he says he owes \$28,478,920 — and 75 cents, to be exact.

Fitty — who recently lost a \$5 million suit over a sex tape — made the filing in his bankruptcy case, which will be heard in a Connecticut court Friday.

He says his biggest creditor is Sleek Audio, a Florida headphone maker that won a \$18,428,257 judgment against him for stealing its design.

The rapper, whose real name is Curtis Jackson, lists other debts for luxuries one might expect for a hip-hop star: \$137,880 to Bentley Financial Services for a car lease, \$64,909.04 to American Express for his credit card, and \$5,245.66 to a Park Avenue stylist.

Other debts are to law firms, including \$568,304 to Reed Smith.

Jackson, reportedly worth \$155 million, has not filed a list of assets.

In his original bankruptcy filing Monday, Jackson said he owed up to 49 creditors between \$10 million and \$50 million.

Lawyers for the Florida woman who won the \$5 million sex-tape jury verdict scoffed at his bankruptcy plea, saying he is crying poverty to dodge the payout.

"The 20 largest creditors include \$1,700 to his [grandfather] and a \$400 bill," said Hunter Shkolnik, an attorney for Lastonia Leviston. "This is stretching credulity."

Shkolnik also said the bankruptcy filing "could not have been made in good faith," noting Jackson mocked his finances with late-night host Conan O'Brien this week.

"Yeah, I need protection," Jackson had said on "Conan." "You get a bull's-eye painted on your back when you're successful, and it's public. You become the ideal person for lawsuits."

He then posted a photo on his Instagram account of him next to a Smart car with the caption, "Times are hard out here LMAO." ■

CALIFORNIA MODEL SUES KOTEX AFTER ALLEGEDLY LOSING LEG, CONTRACTING TOXIC SHOCK SYNDROME FROM TAMPON

Melissa Chan

New York Daily News

June 18, 2015

Lauren's lawyer, Hunter J. Shkolnik, is accustomed to seeing the darker side of products that most people assume are safe.

A CALIFORNIA MODEL is suing Kotex after allegedly losing her leg from contracting toxic shock syndrome from a tampon and being on the brink of death.

Lauren Wasser, 27, a stellar athlete and longtime model, said her life flipped upside down in 2012 when using a Kotex Natural Balance tampon left her "10 minutes from death" and resulted in the amputation of her right leg, *Vice* reported.

"I wanted to kill myself when I got home," she told the website. "I was this girl and then all of a sudden I don't have a leg, I'm in a wheelchair, I have half a foot, I can't even walk to the bathroom. I'm in a bed, I can't move, and I felt like those four walls were my prison."

The Santa Monica woman said she changed her tampon three times that day, but felt sick and went to bed. She suffered a massive heart attack, shutting down her organs, according to *Vice*.

The tampon that was inside of her tested positive for toxic shock syndrome, a serious disease caused by a toxin produced by some types of bacteria that affects body organs.

Lauren's lawyer, Hunter J. Shkolnik, is accustomed to seeing the darker side of products that most people assume are safe. For example, he handled the litigation

over an ingredient in cough syrup that gave people strokes. "I wish I could say [Lauren's case] shocked me, but it doesn't," he says. "The tampon has not been changed since the day of the original TSS epidemic. All they did was put on the label, 'Oh, you can get toxic shock.' The material has gone unchanged for decades." To avoid the wrath of the FDA, he says, companies simply put a warning on the outside of their tampon boxes. He calls this a "get-out-of-jail-free card."

Tampon boxes have been required to print these warning labels since the 80s, but Shkolnik argues that the warnings on Lauren's tampon box weren't clear enough, especially about leaving tampons in at night. Here's the language: "Change your tampon every four to eight hours, including overnight." The family argues that these instructions are unclear. They plan to argue that "overnight" can mean longer than eight hours, especially when it comes to young girls, who can easily sleep nine or ten hours on a weekend. "[Tampon companies] should be telling you, 'Don't sleep in it. Use a pad,'" says Shkolnik. ■

MORE | <http://nydn.us/29PB3ld>



SETTLEMENTS REACHED BY WORKERS CLAIMING 9/11-RELATED ILLNESSES

Joel Stashenko

New York Law Journal

March 23, 2015

“It’s the last bit of litigation that remains in the World Trade Center catastrophe,” Napoli said...

A FEDERAL JUDGE has approved settlements reached by 78 workers who claimed toxic substances causes their respiratory and intestinal problems as they cleaned private buildings near the World Trade Center after 9/11.

Southern District Judge Alvin Hellerstein said the settlements in *In Re World Trade Center Disaster Site Litigation*, 21-mc-102, met the standards for fairness that have been spelled out in other federal cases, including in the related 9/11-worker matter of *In Re World Trade Ctr. Disaster Site Litig.*, 21-mc-100 (SDNY 2010).

Hellerstein said the settlements involving the 78 workers were found to be fair because they involved adversarial negotiations, no evidence of collusion and were resolved with discovery far enough along for the parties to have fairly evaluated their prospects of success.

“Because the settlements are the result of a fair process, the consideration to be paid is presumably also fair, adequate, and reasonable,” Hellerstein wrote.

The terms of the settlements were not disclosed, though Hellerstein said they “compare favorably” in the aggregate and individually to the settlement in *In Re World Trade Ctr. Disaster Site Litig.*, 21-mc-100, over which Hellerstein is also presiding.

That case, in which Hellerstein approved a settlement in 2010, involved more than 10,000 people who worked at the site in the wake of 9/11 and who also experienced respiratory, intestinal and other health problems (NYLJ, March 12, 2010).

Of the 78 plaintiffs involved in the latest settlement, 26

settled their cases entirely and 52 reached partial settlements. All are represented by attorney Paul Napoli of Worby Groner Edelman and the Napoli Firm.

They are part of a larger group of about 1,100 workers who claim injuries from cleaning about 100 private buildings around the site of the wrecked twin towers after 9/11. There are about 345 defendants in the claim.

Napoli said his firm continues to represent about 900 plaintiffs in the case before Hellerstein and plans to proceed to trial against two of the largest defendants, Blackmon Mooring Steamatic Catastrophe and Weston Solutions.

The plaintiffs claim that neither company took steps to properly protect workers from exposure to dangerous materials during the cleanup after 9/11 in the World Financial Center and other buildings around the World Trade Center.

Napoli said Hellerstein has scheduled a three-day settlement conference in the case this week.

“It’s the last bit of litigation that remains in the World Trade Center catastrophe,” Napoli said in an interview Friday. “There is no more litigation after this that has been filed. There’s the potential in the future for cancer cases to be filed, but for what’s been filed, this is it.”

Hellerstein had been presiding over the World Trade Center Disaster Site litigation since Congress... ■

MORE | <http://bit.ly/1O9ssqj>



RECENT COMMITMENTS

Napoli Shkolnik PLLC is proud of its tradition of sponsoring honorable institutions.

WE STRONGLY BELIEVE in organizations that encourage educational opportunities, provide the inspirational tools needed for true progress and then recognize the achievements.

In a rapidly changing and challenging world, we think it is important to support positive development and goals. We are happy to provide assistance to organizations in order to realize their Missions of helping individuals, neighborhoods and communities. ■

National September 11 Memorial and Museum

An educational and historical institution honoring the victims and examining 9/11 and its continued global significance. As a Board Member, Paul is very involved in realizing the organization's message of volunteerism, education and remembrance.

9/11 Memorial 5K Run/Walk

The firm is always proud to be a Mile Marker sponsor! Our firm teams participate as runners and walkers at the event and locally in their hometowns.

New York City Marathon

In honor of Paul's fight against leukemia and to support the families of other patients, Marie collected over \$50,000 in pledges to support the foundation's programming by completing the 2015 NYC Marathon.

New York City Police Museum

The partners are actively committed to helping the Museum realize its Mission to preserve the history of the New York City Police Department through educational programming and exhibitions.

The Police Athletic League (PAL) – NYC

We are proud supporters of this not-for-profit organization's belief that "young people's individual strengths and capabilities can guide them to mature, productive adulthood" with encouragement and commitment.

The Bone Marrow Foundation

The BMF helps families improve their odds of finding a donor and receive the necessary support as their loved one receives treatment. When Paul Napoli was diagnosed with leukemia and was told he need a life-saving bone marrow transplant, the BMF provided information and support.

Long Island Go Red for Women

This organization seeks to increase public awareness of cardiovascular disease and risk factors particularly as they apply to women and the firm is happy to be involved in such a worthy message.

Swing for a Cure

This charity golf outing benefits the Breast Cancer Research Foundation and in keeping with tradition, Napoli Shkolnik has sponsored a Tee for the event.

Mental Health Association of Nassau County

We are glad that we can make a difference with the MHA, which is a not-for-profit membership organization dedicated to improving mental health in the community through advocacy, education, program development and the delivery of direct services.

Italian Heritage & Culture Committee of New York, Inc. (IHCC)

The firm is happy to support the IHCC-NY's continuing efforts of providing concerts, exhibits, and lectures of the Italian culture to the community.

St. John's University President's Dinner

The firm is proud to be an annual Sponsor of the Annual President's dinner; an event committed to raising scholarship money in order to provide financial assistance to deserving students.

Pencil: Transforming Schools. Together[®]

We are excited to be supporting this organization, which creates innovative and impactful models of collaboration between the business and education communities by bringing together school needs and business expertise.

Save the Children

Through our support of Save the Children, we are part of a program that gives children in the United States and around the world “a healthy start, the opportunity to learn and care when disaster strikes.”

“Being part of the process of helping to turn dreams into realities is a responsibility we take seriously. We are grateful to be included in creating a positive future.”

Marie Napoli, Partner

Trey Whitfield Foundation, Inc.[®]

The Foundation aims to motivate, support and encourage children and young adults from across the country pursue their dream of furthering their education. Our commitment to positive youth development aligns with their message.

Nassau County Law Enforcement Exploring Program

This youth program emphasizes Career Opportunities, Life Skills, Citizenship, Character Education and Leadership Experience. It is rewarding to see participants blossom with these characteristics.

Holiday Mail for Heroes Program

The firm participates in this wonderful program every year; contributing over 300 cards of thanks and support to members of the armed forces, veterans and their families.

Annual Food Drive

Every year each of the firm's office locations organizes a food drive to support a local soup kitchen, meals on wheel program or shelter. We were able to donate over 30 large boxes full of non-perishable items last year and we hope the generosity only continues to grow.



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