

# OSCEOLA NEWS-GAZETTE

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## **Osceola County prepares to file lawsuit against e-cig company Juul**

By Rachel Christian (Staff Writer at Drugwatch.com) | February 11, 2020

Osceola County is moving forward with a new lawsuit against e-cigarette maker Juul Labs after commissioners approved the proposal at a meeting Feb. 3.

The agenda item — approved without discussion — accuses the San Francisco-based e-cigarette company of negligence, false marketing and consumer protection law violations.

A rapidly growing number of Juul lawsuits filed across the U.S. make similar claims.

Last year, a U.S. Food and Drug Administration investigation revealed Juul had falsely marketed its vaping products as safer than traditional tobacco. The Federal Trade Commission and several state attorneys general have also launched investigations.

The Feb. 3 agenda item authorizes Osceola County Attorney Andrew Mai to file a lawsuit and sign a retainer agreement with New York City-based law firm Napoli Shkolnik PLLC.

The same firm is also representing Osceola in ongoing national opioid litigation. In February 2018, Osceola became the first municipality in Florida to seek compensation from major pharmaceutical companies for damages associated with the opioid epidemic.

Like the opioid case before it, the Juul suit will contain a contingency clause, so Osceola County won't pay legal fees unless the firm wins, Mai said.

The county attorney said he didn't know when the Juul lawsuit would be filed but said Osceola might be the first county in Florida to sue Juul.

"The damages caused to the county and its residents by Juul are not as clear as they were in the opioid case," Mai said. "That's why we will need to investigate how much of an impact it's had and how much compensation we're seeking for those damages."

### **Lawsuits accuse Juul of marketing to teens**

With more than a 70 percent market share of the multibillion-dollar e-cigarette industry, Juul is facing blame for what the U.S. Surgeon General has called a vaping epidemic among youth in the U.S.

Most e-cig lawsuits have been filed by young adults or parents of teens who say they were unaware of the potential side effects of vaping, including nicotine addiction, lung disease and seizures.

More than a dozen school districts, including Seminole and Brevard, have filed suit against Juul and other vape companies.

Education officials say Juul's deceptively marketed kid-friendly flavors damaged the health of students and disrupted their learning.

Vaping among U.S. middle and high school students increased 900 percent from 2011 to 2015, according to the Centers for Disease Control and Prevention.

The CDC reported that more than 3.6 million U.S. youth, including 1 in 5 high school students, used e-cigarettes in 2018.

### **Federal panel centralizes Juul lawsuits in California court**

Dozens of new lawsuits against Juul are being filed across the country every month. People who have been diagnosed with addiction, seizures, severe lung

conditions or strokes after vaping may be eligible to file a product liability lawsuit against the e-cigarette maker.

To more effectively manage mounting lawsuits, a panel of federal judges consolidated Juul-related cases into a multidistrict litigation, or MDL, in the U.S. District Court of Northern California.

From Oct. 15 to Jan. 15, the number of cases in the federal litigation jumped from 40 to 282, according to court documents.

E-cigarette cases are still in the earliest stages, but lawyers expect the litigation to grow.

“Juul is correct to assume litigation will proliferate as additional plaintiffs recognize these harms and file lawsuits nationwide,” consumer attorneys wrote in an August 2019 brief in support of the consolidation of cases. “Even if Juul is removed from the shelves tomorrow, millions of adults and children will remain addicted and unable to quit without treatment.”

*Rachel Christian is a staff writer for Drugwatch.com, a consumer education and advocacy website based in Orlando.*

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