

Litigation | Environment | Water Management | Climate Change | Product Liability

Lawyers in PFAS water pollution settlements win \$956 mln fee award

By **Clark Mindock**


April 23, 2024 4:32 PM EDT · Updated 2 days ago




Feedback

REUTERS/Yuriko Nakao [Purchase Licensing Rights](#)

Companies **Law Firms**

 **3M Co**
Follow

 **Chemours Co**
Follow

 **Corteva Inc**

Follow

April 23 (Reuters) - A U.S. judge on Tuesday awarded over \$956 million in legal fees to plaintiffs' lawyers who secured two settlements worth more than \$11 billion with major manufacturers of toxic "forever chemicals" on behalf of public water systems.

U.S. District Judge Richard Gergel in Charleston, South Carolina, granted unopposed fee requests after 3M ([MMM.N](#)), DuPont de Nemours Inc ([DD.N](#)), Chemours ([CC.N](#)) and Corteva ([CTVA.N](#)) last year agreed to resolve claims that their products polluted drinking water in the United States with per- and polyfluoroalkyl substances, or PFAS.

PFAS are [a class of thousands of chemicals](#) used in firefighting foams, nonstick pans and stain resistant fabrics. They have been linked to cancer and other diseases and are often called forever chemicals because they do not easily break down in nature or the human body.

Last year, 3M [agreed to a PFAS-related settlement](#) with public water systems worth \$10.3 billion, while [the other companies agreed to a settlement](#) worth \$1.19 billion. The companies did not admit to wrongdoing as part of the deals.

Advertisement · Scroll to continue

The attorneys' award represents 8% of the two settlements plus roughly \$21 million in out-of-pocket expenses. The litigation has been led by the law firms **Napoli Shkolnik**, Douglas & London, Baron & Budd, Motley Rice and FeganScott.

"This has indeed been a long-fought case, and it's been years of dedicated work without compensation for many involved," Paul **Napoli** of **Napoli Shkolnik** said in an email.

Advertisement · Scroll to continue

The award will be dispersed in stages as the settlements are paid out, and a special master will determine how the funds are distributed between firms.

Roughly 26,000 water systems across the country will use the rest of the settlement money to test for and treat PFAS contamination, which [is now mandated](#) under a new U.S. Environmental Protection Agency rule issued this month.

The law firms represent water systems in several other active cases against different chemical companies in Gergel's court, one of which is due to go to trial in October. Companies also face thousands of personal injury lawsuits and cases filed by states and property owners.

Advertisement · Scroll to continue

The case is In Re Aqueous Film-Forming Foams Products Liability Litigation, U.S. District Court for the District of South Carolina, case No. 2:18-mn-02873.

For the plaintiffs: Paul **Napoli** of **Napoli** Shkolnik; Michael London of Douglas & London; Scott Summy of Baron & Budd; and Elizabeth Fegan of Fegan Scott.

For 3M: Richard Bulger, Daniel Ring and Michael Olsen of Mayer Brown

For DuPont: Molly Craig of the Hood Law Firm and David Erickson of Shook Hardy and Bacon

Advertisement · Scroll to continue

Read More:

['Forever chemicals' were everywhere in 2023. Expect more litigation in 2024](#)

Get a quick look at the days breaking legal news and analysis from The Afternoon Docket newsletter. Sign up [here](#).

Reporting by Clark Mindock

Our Standards: [The Thomson Reuters Trust Principles](#), [↗](#)

[Purchase Licensing Rights](#)

Read Next / Editor's Picks

Employee Benefits & Executive Compensation

Court revives Whole Foods worker's lawsuit over 'Black Lives Matter' masks

April 25, 2024

Sustainable Finance & Reporting

Starbucks loses appeal over union election at Seattle store