

SETTLEMENT	CASE TYPE	CO-COUNSEL FIRM
\$93,857,000	Mesothelioma and other Asbestos-related Diseases	Simmons Hanly Conroy – Alton, IL (and other Co-counsel Firms)
\$5,995,000	Cerebral Palsy	Burg Simpson Eldredge Hersh & Jardine – Englewood, CO
\$5,250,000	Cerebral Palsy	Donahue & Horrow – El Sugundo, CA
\$2,000,000	Birth Injury	The Berkowitz Law Firm – Stamford, CT
\$1,445,000	Multiple Nursing Home Cases	Kralovec Jambois & Schwartz – Chicago, IL
\$1,000,000	Nursing Home	McMahan Law PC – Los Angeles, CA
\$940,000	Multiple Nursing Home Cases	Burke Harvey – Birmingham, AL
\$750,000	Workers’ Compensation	Boynton Waldron Doleac Woodman & Scott – Portsmouth, NH
\$625,000	Nursing Home	Shuttlesworth Law Firm and Burke Harvey – Birmingham, AL
\$450,000	Erb’s Palsy	The Graham Law Firm – Charleston, SC
\$425,000	Workers’ Compensation	Karl Vrana & Associates – Raynham, MA

### Listen to This!

As one of the nation’s largest legal marketers and case lead generators, Sokolove Law understands the importance of providing potential clients with quality service. We handle over 150,000 calls a year and to help ensure our quality standards are met we listen to all of them. Really!

We use a powerful speech analytics tool that converts the spoken language to text and allows us to review every single customer interaction. This speech analytics process ensures calls are meeting an established set of criteria regarding quality and compliance.

#### How is it done?

Starting with meta data, words and acoustics, contacts are categorized based on acoustics. Scores can then be created for automated scoring using a mixture of categories, acoustic measures, filters and attributes. This mix of tools allows the quality assurance analyst to tailor scores to fit the specific needs of Sokolove Law.

The speech analytics process provides key business intelligence. Based on this data, we can make timely decisions with ongoing campaigns. If a potential issue is identified in a campaign, we can create searches using key case type related words to better understand the issues. We can then:

- Listen to the calls that meet the search criteria – the call recordings can be listened to with just one click
- Analyze the call transcripts for specific campaigns to gain insight into the call interaction
- Create word cloud visualizations to get to the root of problems

The focus of these efforts is to create, correct and guarantee an efficient call screening process. The result? Our co-counsel firms see more and better quality leads.

Using the Quality Assurance score, the call center agents can review their own scores, listen to their calls, and



analyze their specific trends for each category. The call center management team routinely meets with the agents to provide direct coaching and feedback. They can also review their agents’ trends and compare them to the group and goal for each indicator. In addition to the feedback process, training needs can be easily identified. Training programs are then developed to help the agents with the specific issues. The outcome? A high performance, high quality call center team.

## Plaintiffs’ Lawyers Take on the Opioid Crisis

What happens when you cross corporate greed, aggressive and deceptive pharmaceutical marketing and distribution, and careless prescribing habits with highly addictive opioid drugs and patients in often desperate need of relief from pain? You get a public health crisis that has claimed the lives of over 300,000 Americans in the last two decades.

Opioid manufacturers and distributors have reportedly raked in billions from the sale of prescription opioid drugs like OxyContin and Vicodin, among others. In 2016, retail pharmacies dispensed over 214 million opioid prescriptions. That same year, there were over 42,000 overdose deaths involving opioids, according to the Centers for Disease Control and Prevention (CDC). Forty percent of those deaths were from prescription opioids.

As lawmakers scramble to enact appropriate legislative solutions to a burgeoning health and safety crisis, trial lawyers have sprung into action, filing hundreds of lawsuits in the last year alone, seeking to hold prescription opioid manufacturers, wholesale drug distributors, and even certain “key opinion leaders” responsible for an epidemic that continues to kill scores of people each day.

Unlike the OxyContin litigation of the early 2000s, this time around the plaintiffs’ bar is largely focused on overburdened municipalities – cities, towns, states, tribal governments and even trade unions – struggling financially under the weight of the opioid crisis.

In complaints filed across the country, local governments accuse profit-motivated opioid manufacturers and distributors of deliberately overpromoting the



use of opioid drugs for chronic pain, while deceiving doctors and vulnerable patients of the risks, and failing to report unusually large or frequent orders for opiate drugs – a scheme that has ravaged patients, families and communities alike. Government entities are now looking to recoup the costs of medical care, counseling and rehabilitation services for patients suffering from opioid-related addiction, including overdoses and deaths; costs for treating opioid addicted infants and care for children of opioid-addicted parents; as well as law enforcement and public safety-related expenses.

“This epidemic is pulling money away from schools, hospitals and other important governmental services to pay for the costs associated with opioids

The timing of this litigation couldn’t be more crucial, says Simmons Hanly Conroy LLC shareholder Paul Hanly, a pioneer in the original OxyContin litigation over a decade ago, and now co-lead counsel in the federal opioid MDL in Ohio. “Approximately 170 Americans die every day from opioid overdoses and, as a consequence of the widespread addiction, local governments across the nation are hemorrhaging money. This epidemic is pulling money away from schools, hospitals and other important governmental services to pay for the costs associated with opioids,” said Hanly, whose firm represents over 200 public entities.

The ultimate goal is to secure much-needed funding from the opioid defendants to aid individuals, families and communities affected by this crisis. That includes, says Hanly, long-term funding for educating consumers, young people, and doctors about the addictive properties of opioids; long-term funding

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## Co-counsel SPOTlight

Thornton Law Firm – Boston, MA

Thornton Law Firm was founded in 1978 by Michael Thornton along with two other attorneys. Not far from where Thornton set up shop in downtown Boston, Jim Sokolove was starting his firm around the same time. Their paths crossed a few years later, and the two firms have partnered together on numerous projects ever since.

“Mike Thornton and his team are one of our longest standing co-counsel firms – a relationship that spans over two decades and that we value greatly,” says Sokolove Law CEO Mike Skoler. “His firm has been involved in some groundbreaking litigation both here in Massachusetts and nationally, and we are honored to have been associated with his firm along the way.”

Although the Thornton Law Firm started out primarily representing victims of mesothelioma and other asbestos-related diseases, the firm is now one of the leading injury law firms in Massachusetts and the largest plaintiff law firm in New England. The firm’s 19 attorneys are supported by a highly qualified and dedicated staff of about 70 legal assistants, administrators,

and support personnel, and represent thousands of clients in a wide variety of plaintiff-side work.

Over the last four decades, Thornton Law Firm has been involved in several cases of local and national importance, including representing:

- The Commonwealth of Massachusetts in its lawsuit against the tobacco industry, which settled for \$8 billion in 1998
- More than 20,000 victims of mesothelioma and other asbestos-related diseases serving as plaintiffs’ asbestos liaison counsel in Massachusetts
- Children suffering from severe birth defects related to the use of chemicals in the workplace
- Hundreds of children and families affected by lead poisoning and representing the State of Rhode Island in its fight against the lead paint industry

In addition, the firm has helped thousands of clients who have been harmed by pharmaceutical drugs and medical devices,



MICHAEL THORNTON, Founder

including Dalkon shield, Fen-phen/Redux, Vioxx, breast implants, pain pumps, Kugel hernia mesh, Depuy, Stryker, Wright, and Biomet metal-on-metal hip implants, transvaginal mesh, and many others.

“We are proud to litigate cases as co-counsel with the Sokolove Law Firm, who place their trust in us to get full compensation for our clients who have complex personal injury and wrongful death claims,” said Mike Thornton. “Our long-term partnership is a testament to the strength of the co-counsel relationship between our two law firms.”

### Campaign Highlight

## Talcum Powder

The link between talcum powder and ovarian cancer has been studied for decades. While the studies’ findings have been inconsistent, legal proceedings – and subsequent multi-million-dollar verdicts – paint a very different picture. Johnson & Johnson’s losses in the past two years total more than \$700 million; that figure includes significant punitive damages for corporate wrongdoing. While the healthcare giant has won several appeals, the litigation is far from over. There are thousands of cases still pending in federal and state courts.

We’ve done several successful talc campaigns since 2014. In January, we launched another national campaign

targeting women who used talc for feminine hygiene and later developed ovarian cancer. According to the Centers for Disease Control and Prevention (CDC), approximately 20,000 women are diagnosed with ovarian cancer in the USA annually – meaning the pool of potential claimants is substantial. With that said, all media channels were utilized. While we’ve seen solid results on the web, direct mail was the top performing channel, bringing in 65% of the signed cases at the lowest cost.

If the current climate is any indication of what is to come for Johnson & Johnson, many more talc lawsuits will be filed soon. With no signs of slowing down, now is a great time to join the campaign. Call us today at 1-800-305-4009 to hear more.



## Plaintiffs’ Lawyers Take on the Opioid Crisis

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for rehabilitation programs; and money for life-saving drugs such as Narcan, which reverses the effects of overdose.

“Another important goal is to ensure that, in the future, all of the culpable defendants are prevented from engaging in the types of conduct that brought about the current crises,” said Rhon Jones, Toxic Torts Section Head at Beasley Allen Law Firm which represents dozens of local governments in Alabama as well as the State of Alabama in its lawsuit against Purdue Pharma for fueling the opioid crisis in that state.

In another departure from the previous OxyContin litigation and from pharmaceutical mass torts in general, is the way in which firms are acquiring plaintiffs. Rather than spending large amounts of money on television or internet marketing, plaintiffs’ lawyers are traveling the country pitching business to local governments the old-fashioned way.

For Hanly’s firm, it began with an unsolicited letter from one New York county interested in learning about their legal options to fight the opioid epidemic. “Once we filed the first complaint in 2016, the floodgates opened, and we began to be contacted by many other government entities and firms interested in co-counseling,” he said.

It’s this boots on the ground approach and other similarities that have the media drawing parallels to the tobacco litigation of the 1990’s which resulted in a landmark settlement between major U.S. tobacco companies and the attorneys general of 46 states.

While conceding to the obvious similarities (allegations of pervasive and deceptive marketing of a dangerous and addictive product resulting in a public health crisis), attorneys say there are marked differences. “The opioid epidemic is a public health crisis and a public nuisance which sets it apart from tobacco in that there are farther reaching effects from opioids such as crime, increases in

street drug activity, increased homeless population, overdose deaths, babies born with neonatal abstinence syndrome, and rises in foster children,” said James Matthews, a shareholder at Blasingame Burch Garrard & Ashley P.C., which has taken the lead in opioid litigation in its home state of Georgia. Moreover, the harms associated with opioids are “much more immediate and unexpected,” said Hanly, versus tobacco where the adverse effects, such as lung cancer, take longer to develop and are not as unexpected when they do occur.



In addition to numerous opioid lawsuits filed in state courts around the country, there are over 800 cases pending before U.S. District Judge Dan Polster, who since December 2017, has presided over the National Prescription Opiate MDL 2804 in the Northern District of Ohio.

Whether to file in state court or have your cases become part of the federal MDL is always an issue best discussed on an individual basis with each client, said Jones, taking into consideration state-specific causes of action as well as the speed with which your case may be brought to trial in state court. On the other hand, there are definite advantages

to filing in federal court and being part of the MDL, particularly the ability to “pool resources with a large number of good lawyers to pursue litigation against some of the largest companies in the United States,” added Matthews.

Another advantage may come from having an experienced and capable jurist like Judge Polster guiding the MDL proceedings. Lawyers and court watchers alike were pleasantly surprised by Judge Polster’s early stance on a quick resolution of the opioid litigation. However, Matthews cautions that “a resolution should not be agreed to just because it might be quick. It also has to be fair and substantial enough to address all of the issues. And it must compensate all of the plaintiffs, including local governments. To accomplish that in a few months will take a lot of work and probably a good bit of innovation.”

Luckily, attorneys for the beleaguered municipalities are no strangers to hard work, innovation or perseverance. So long as those responsible for the opioid crisis continue to take the matter seriously and are realistic about the scope of the problem and how to solve it, a resolution may not be so far out of reach.

### Take Advantage of Us

... Or more specifically, our vast network of co-counsel firms. If you have a case that you need to refer out and don’t know where to turn, contact Sokolove Law for your one-stop shopping. We work with over 400 firms nationwide, and chances are, we can put you in touch with the right firm to help out with your case. Whether it’s a pharmaceutical, defective device, or mesothelioma case, we have relationships with the top litigation firms in the country to ensure that your client gets the best representation.

Call us at 1-800-305-4009.

