

First Settlement Announced in Bisphenol-A (BPA) Products Liability Litigation

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Press Release

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Walters Bender Strohhahn & Vaughan and Whatley Drake & Kallas Announce First Settlement in Bisphenol-A (BPA) Products Liability Litigation

First Settlement Reached For Class in *In re Bisphenol-A (BPA), Products Liability Litigation*

Class receives substantial monetary and injunctive relief in multi-district litigation arising from the presence of BPA in plastic baby bottles and sippy cups.

KANSAS CITY – Co-lead counsel Walters Bender Strohhahn & Vaughan of Kansas City and Whatley Drake & Kallas of New York, Birmingham and Boston have reached a landmark settlement in a multi-district litigation with Philips Electronics Corporation North America in *In re Bisphenol-A (BPA) Products Liability Litigation*, MDL 1897 (W.D. Mo.). The Court granted preliminary approval of the settlement on January 07, 2011. Philips sold Avent brand plastic baby bottles and sippy cups that contained the chemical BPA. Plaintiffs alleged that Philips and several other manufacturers were liable for breach of warranty, violations of deceptive trade practices statutes and unjust enrichment when they failed to disclose to consumers that the baby bottles and sippy cups contained BPA and that there are health risks associated with BPA exposure. The settlement resolves the case against Philips while preserving all claims against the remaining defendants.

The proposed class-wide settlement provides refunds and/or vouchers to Class Members who purchased (or received as a gift) Avent or Philips Avent branded baby bottles and sippy cups that contained BPA, as well as provides for significant injunctive relief.

“We are pleased that Philips has stepped up and taken the lead in agreeing to the serious practice reforms and monetary benefits outlined in the settlement,” said Edith M. Kallas of Whatley Drake & Kallas. Thomas V. Bender of Walters Bender Strohhahn & Vaughan added, “BPA is a dangerous chemical in the wrong applications, and Philips is to be commended for agreeing to this relief. Consumers who purchased these products will be able to obtain significant relief, and

we hope other manufacturers will follow Phillips in both agreeing to not use BPA in products without warning of the dangers and in allowing purchasers recovery for their losses.”

About WBS&V: Walters Bender Strohbehn & Vaughan, PC is a Kansas City based firm which specializes in complex and class action, commercial and business, predatory lending and consumer protection, insurance law and securities, along with other litigation specialties. For 20 years, the Firm has been involved in litigation matters throughout the United States, including leadership positions in several multi-district litigation matters.

About WDK: Whatley, Drake & Kallas, LLC is a national law firm with offices in Birmingham, New York City, and Boston. WDK practices extensively in the areas of complex class action and derivative litigation, including securities, ERISA, 401k, healthcare, insurance, antitrust, mass tort and consumer litigation. WDK also remains devoted to its longstanding representation of unions and workers throughout the United States and represents several Taft-Hartley plans.