

2 Propulsid Plaintiff Firms Cover Settlement Overage To Allow 100 Percent Awards

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Body

Two plaintiff law firms have agreed to guarantee funds in order for successful claimants in the first ***Propulsid*** settlement to receive all of their awards rather than be subject to a 50 percent holdback pending conclusion of the program (In Re: ***Propulsid*** Products Liability Litigation, MDL No. 1355, No. 00-md-1355, E.D. La.).

According to a March 11 joint report to the U.S. District Court for the Eastern District of Louisiana, the law firms of Herman Gerel LLP in Atlanta and Levin, Fishbein, Sedran & Berman in Philadelphia have agreed to guarantee the funds necessary to allow 100 percent payments to all eligible claims in the event the total sums awarded exceed the total balance available in the settlement fund.

The settlement agreement requires that successful claimants be paid only 50 percent of their award until the claims process ends, after which remaining funds will be distributed pro rata.

The guarantee will affect six successful claimants who received only 50 percent of their awards under terms of the settlement.

Heart Rhythm Problems

The ***Propulsid*** claimants alleged that the heartburn drug caused heart rhythm disturbances. Johnson & Johnson has entered into two settlements: the first for claims in the multidistrict litigation and the second for state court claims.

The plaintiffs are represented by Russ M. Herman of Herman, Middleton, Casey & Kitchens in New Orleans. Defendant Johnson & Johnson is represented by James B. Irwin of Irwin Fritchie Urquhart & Moore in New Orleans.

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