

To: Professor Elizabeth Burch

From: Ryan Giles

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RE: Human Interest Findings Concerning *In Re: Gadolinium Contrast Dyes Product Liability Litigation* (MDL 1909)

## Memorandum

Below is a synopsis of the relevant news stories and internet hits concerning participants in the *In Re: Gadolinium Contrast Dyes Product Liability Litigation* (MDL 1909).

1. Attorney Mike Burg (of the Burg Simpson Firm) has authored a recently published (2016) autobiography titled *Trial by Fire: One Man's Battle to End Corporate Greed and Save Lives*. He opens Chapter One of the book with a description of the Gadolinium dyes and a description of Burg Simpson's work on the MDL. His brother, Peter Burg, was a co-lead lawyer of the MDL (along with Troy Rafferty of the Levin Papantonio law firm). Mike Burg described the NSF condition (brought about by the dyes) as "the most awful thing we had ever seen in the arena of mass torts, and probably remains the worst I have seen to this day."
  - a. He tells the story of one of his clients—a fifty five year old man who transformed into an "immobile statute" that could feel the pain of what his body was enduring.
  - b. He talks about the fact that they settled "nearly all" of their 150 cases. In what seems like a preemptive justification, he claims that, while there was a confidentiality agreement embedded in most of the settlements,

they felt that the terms were in the best interests of their clients. He says that since his clients were older people with terminal illnesses that they were looking to settle “on a deadline.”

c. Source (Google books excerpt):

[https://books.google.com/books?id=wgAfDAAAQBAJ&pg=PT21&lpg=PT21&dq=gadolinium+contrast+victims&source=bl&ots=tDqWzCxXtb&sig=ceUXZ9tbolvHEU8J3\\_YUqOeTgL0&hl=en&sa=X&ved=0ahUKEwiMjen\\_oebSAhUg8YMKHW7SC9U4FBD0AQg-MAk#v=onepage&q=gadolinium%20contrast%20victims&f=false](https://books.google.com/books?id=wgAfDAAAQBAJ&pg=PT21&lpg=PT21&dq=gadolinium+contrast+victims&source=bl&ots=tDqWzCxXtb&sig=ceUXZ9tbolvHEU8J3_YUqOeTgL0&hl=en&sa=X&ved=0ahUKEwiMjen_oebSAhUg8YMKHW7SC9U4FBD0AQg-MAk#v=onepage&q=gadolinium%20contrast%20victims&f=false)

2. A February 2008 story by a Colorado ABC affiliate warns about the “incurable disease” that the Gadolinium Contrast Dyes might cause. The article discusses the case of Greta Carolus, a local nurse who contracted NSF as a result of the dyes. She was rendered wheelchair bound, has suffered from debilitating hardness of the skin and has been unable to work since the day of the MRI.

a. Interestingly, Peter Burg was quoted in the article and described the condition as the most awful disease he had ever seen. Also, the Burg Simpson firm has a headquarters in Denver.

b. Source: <http://www.thedenverchannel.com/lifestyle/health/mri-contrast-dye-could-cause-incurable-disease>

3. Two victims of Gadolinium Toxicity met on a yahoo support group (it’s a restricted group—I couldn’t view it) and have engaged in research and advocacy campaigns to

raise awareness to the Gadolinium Toxicity and the dangers of contrast dyes. They have created a website which shares news and scientific breakthroughs concerning Gadolinium.

- a. Sharon Williams received several doses of Gadolinium Contrast Dyes starting in the mid-2000s. She did not realize her symptoms were related until 2010. She has suffered, rashes, skin conditions, hair loss. She also found out that she has retained Gadolinium in her brain and thyroid.
- b. Hubbs Grimm has suffered from ongoing burning and stinging sensations since his contrast MRI. He manages his condition with pain medication but says that the pain is always there.
- c. Source: <https://gadoliniumtoxicity.com/about-2/>