

**[Products Liability Law Daily Wrap Up, TOP STORY—JURY VERDICTS—
Mo. Cir.: Ovarian cancer patient’s talcum powder suit nets \\$110M verdict
against J&J, \(May 5, 2017\)](#)**

Products Liability Law Daily Wrap Up

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By Georgia D. Koutouzos, J.D.

A St. Louis jury has awarded \$110 million to a Virginia woman who was among several dozen plaintiffs in a products liability lawsuit filed in Missouri state court against Johnson & Johnson, alleging that the company’s talcum powder products had caused their ovarian cancer. The award to this particular plaintiff included \$5.4 million in compensatory damages and \$105 million in punitive damages against J&J and its two co-defendants, marking the fifth time in recent months that the health care conglomerate has had to pay out large sums to an ovarian cancer patient (*Slemp v. Johnson & Johnson*, May 4, 2017, Burlison, R.).

A woman who had purchased and used talcum powder products manufactured by Johnson & Johnson for approximately 42 years was diagnosed with ovarian cancer in August 2012. Together with approximately 60 other ovarian cancer patients and/or their estates and survivors, she filed suit against Johnson & Johnson, its consumer products subsidiary, Johnson & Johnson Consumer Companies, Inc., and Imerys Talc America, a company that mined and processed talc for J&J. All of the plaintiffs alleged that they suffered personal and pecuniary damages as a direct and proximate result of the unreasonably dangerous and defective nature of talcum powder and the defendants’ wrongful and negligent conduct in the research, development, testing, manufacture, production, promotion, distribution, marketing, and sale of talcum powder.

Specifically, the combined plaintiffs’ amended [complaint](#) alleged that the defendants had a duty to know and warn about the hazards associated with the use of products containing talc given the fact that since 1982, approximately 23 epidemiologic studies providing data regarding the association of talc and ovarian cancer reported an elevated risk for ovarian cancer associated with genital talc use in women. The complaint alleged causes of action for strict liability failure to warn, negligence, breach of express and implied warranties, civil conspiracy, concerted action, negligent misrepresentation, fraud, wrongful death, and punitive damages.

In the individual plaintiff’s case, the jury found in her favor on claims of negligence, conspiracy, and breach of implied warranty against both J&J and Imerys, assessing compensatory damages of \$5,401,921.02. In addition, the jury awarded the ailing woman \$66,000,000 in punitive damages against J&J, \$39,000,000 against the J&J’s consumer products subsidiary, and \$50,000 against the talc supplier.

The case is No. [1422-CC09326-01](#).

Attorneys: Ted Meadows (Beasley, Allen, Crow, Methvin, Portis & Miles, PC,) for Lois Slemp.

Companies: Johnson & Johnson

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