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Alameda jury awards \$18.6M to flight attendants harmed by toxic uniforms

An Alameda County jury awarded \$18.6 million to five flight attendants sickened by toxic Twin Hill uniforms, marking a second victory for Balaban & Spielberger LLP. Over 400 await trial.

Daniel K Balaban

By Antoine Abou-Diwan

Daily Journal Staff Writer

An Alameda County jury awarded \$18.6 million to five flight attendants who developed serious health issues after wearing uniforms manufactured by Twin Hill that were allegedly toxic.

Judge Somnath Raj Chatterjee presided over the second bellwether trial and the second straight victory for the plaintiffs' attorneys with Balaban & Spielberger LLP. More than 400 additional flight attendants are awaiting trial.

"The defendants absolutely put themselves in the soup by forcing another bellwether trial and not taking meaningful steps to resolve this litigation," the plaintiffs' counsel, Daniel K. Balaban said after Tuesday's verdict.

"What worked was overwhelming consensus by the jury who said you didn't need more than common sense to see that 1,000 people got sick at the same time, and the only thing that was new was the uniforms made by the defendants," he continued.

The fourth amended complaint claims three causes of action: strict product liability, negligent products liability, and negligence. It says Twin Hill knew that its flight attendants' uniforms contained toxic chemicals such as formaldehyde, toluene and arsenic, but refused to recall the products. Those chemicals led the flight attendants to develop skin rashes, chemical burns and a host of neurological symptoms,



DANIEL K. BALABAN

respiratory problems and autoimmune issues, the lawsuit said. *Heather Poole, et al. v. Twin Hill Acquisition Company Inc.*, RG17876798 (Alameda Super. Ct., filed Sept. 27, 2017).

The plaintiffs' legal team included attorneys Andrew Spielberger, Kahren Harutyunyan, Vanessa Loftus-Brewer, and Jeremy D. Jass of Balaban & Spielberger LLP; and Anastasia Mazzella and Brian Kabateck with co-counsel Kabateck LLP.

Twin Hill was represented by Lewis Brisbois Bisgaard & Smith LLP partner Robert V.

Good Jr. and Greenberg Traurig LLP shareholders Sabrina R. Gallo and Richard Tabura. They did not immediately respond to requests for comment.

A post on Lewis Brisbois' website dated April 11 says an Illinois federal judge granted summary judgment in April to Twin Hill Acquisitions in a similar lawsuit. U.S. District Judge John J. Tharp Jr. also granted summary judgment to American Airlines.

Balaban said the shirts were initially made from a polyester/cotton blend that wrinkled easily and did not hold up well. The company switched to a material that was 100% cotton and added a formaldehyde finish to prevent wrinkles, he explained.

"They fixed the wrinkling problem and by consequence severely damaged these flight attendants, who did nothing wrong," Balaban said.

"I had argued that between these five plaintiffs they had 150 years of flight time for multiple airlines wearing multiple uniforms and they never had any problems until this new uniform got rolled out. We had five different medical histories from five different states, and all fell ill with similar problems," Balaban continued.

There are 418 remaining plaintiffs. Balaban expects a resolution, or they will try the cases until they're resolved.

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