



**MORGAN & MORGAN®**

# Toxic Baby Formula Lawsuits

**A GUIDE**



Prematurely born children have an uphill battle from day one. Between their low birth weight and the increased risk of illness, these children will require additional care to support their developing bodies. Many doctors and medical professionals recommend that these children be given baby formula, but a recent scientific study determined that some Enfamil and Similac products are linked to an increased risk of a serious digestive condition called necrotizing enterocolitis, otherwise known as NEC.

Necrotizing enterocolitis is a disease that destroys intestinal tissue and opens the body up for infection. Newborns who are diagnosed with NEC carry significant risk, as their bodies haven't developed enough to fight off the bacteria. Manufacturers of Enfamil, Abbott Laboratories, Similac, and Mead Johnson & Company, acted negligently and failed to list NEC as a possible side effect, putting newborns at risk.

No one should unknowingly jeopardize their wellbeing from a product they found on a store shelf, especially when that product is designed as a pro-health alternative for prematurely born children.



**We fight For The  
People, not the  
powerful, and we  
don't back down.**





# The Danger of Necrotizing Enterocolitis

Any According to the Cleveland Clinic, necrotizing enterocolitis is a bacteria that causes intestinal tissue to die. Once the tissue is destroyed, holes can develop in the intestine, allowing bacteria from other areas of the body to leak into the baby's abdomen. NEC may lead to additional serious health problems, including:

- An abdominal infection called Peritonitis
- Sepsis
- Intestinal stricture, or narrowing of the intestines
- Short bowel syndrome, which makes it hard for the body to absorb fluids and nutrients

The survival rate of NEC is heavily dependent on the child's weight once they're diagnosed with the disease. For instance, if the infant is 3.3 lbs or below, their mortality rate is 10-50%. Infants above 5.5 pounds, on the other hand, have a mortality rate of 0-20%, as their extra weight can help the body fight off the infection. However, many of the effects of NEC may result in surgery to repair the damage done to a baby's abdomen and intestine. If the condition is not fatal, infants may also suffer from future health problems, such as growth failure and neurodevelopment issues.

# Frequently Asked Questions

## WHAT ARE THE SYMPTOMS OF NEC?

NEC is a digestive disease, meaning that most of the effects will be internal. However, there are a few external red flags you and the doctor in charge of your child's care should be aware of, such as:

- Abdominal pain and swelling
- Diarrhea with bloody stool
- Green or yellow vomit
- Changes in heart-rate/blood pressure
- Changes in body temperature/breathing
- Refusal to eat
- Lack of weight gain

## WHICH BRANDS OF BABY FORMULA ARE LINKED TO NEC?

Not all baby formula products are toxic for infants, but you should avoid:

- Enfamil
- Similac
- Earth's Best
- Happy Baby
- Go & Grow
- Gerber
- Parents Choice
- Baby's Only
- Louloka
- Holle
- Kendamil
- Bobbie
- Lebenswert

Some of these brands, like Gerber, offer alternatives that don't contain cow milk. These products are much safer than their cow milk-based counterparts, making them a better choice for your child.

## HOW CAN AN ATTORNEY HELP?

If your child developed NEC as a result of the baby formula they were fed, you're likely frustrated and want to hold the manufacturer accountable for their negligence. However, this can be difficult to do on your own, but an experienced attorney can help you navigate through the legal process and find the best possible solution to your case. Not only that, but they can handle the majority of the legal proceedings, giving you some much-needed time to destress.

## WHY MORGAN & MORGAN?

With a case of this caliber, you need a firm you can trust will competently handle your claim. There are many options for representation available online, but how do you know that what they claim is truthful? For one, you need to look at their results, as past success is the best predictor of future results. At Morgan & Morgan, our settlements and verdicts speak for themselves, making us an undeniable asset for you in the fight for your child's rights.

The manufacturers of the toxic baby formula may attempt to use their resources to avoid having to pay for the damage they've caused. However, we're America's largest personal injury firm, meaning that we have the capability to take on a bully of any size. We've spent the last three decades advocating for the rights of those who were victimized by large, negligent organizations, and we're prepared to fight for your situation with the same intensity that made us who we are today. No one is immune from the law; We can help you hold the negligent party accountable.

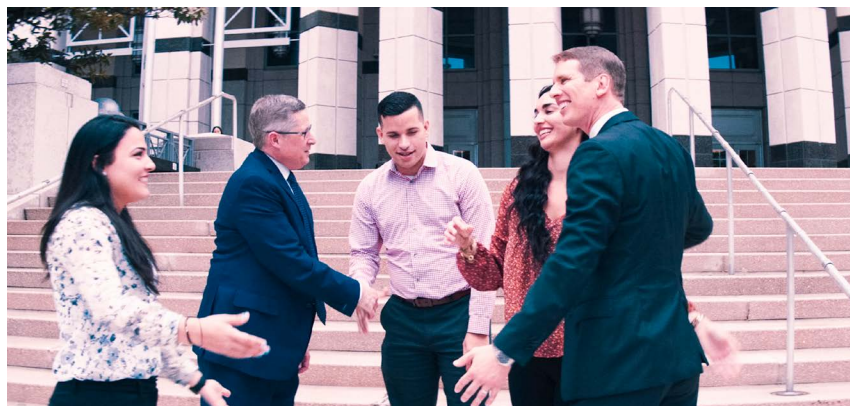




# About Morgan & Morgan

For the last three decades, our firm has advocated for abuse victims and pursued litigation against the responsible parties. We've assisted thousands of families during the most traumatic points in their lives and recovered over \$10 billion for those who needed it most. So, when you need a law firm that you can trust and depend on, look no further than Morgan & Morgan.

America's largest personal injury firm has the resources, experience, and workforce to give your case the best possible outcome. Other personal injury firms charge expensive rates yet haven't seen the inside of a courtroom in years. Our firm, on the other hand, is no stranger to legal proceedings and will fight tirelessly for the full value of the damage you've sustained.



# Practice Areas



Accidents



Birth Injuries



Brain Injuries



Breach of  
Warranty



Burn & Fire  
Injuries



Business  
Litigation



Business  
Interruption  
Claims



Car, Truck and  
Motorcycle



Child Sexual  
Abuse



Civil Rights



Class Actions &  
Mass Torts



Construction  
Accidents



Deaf & Disability  
Rights Unit



Dog Bites/  
Animal Attacks



Employee Rights



FCRA



Medical  
Malpractice



Mesothelioma



Negligent  
Security/  
Premises Liability



Nursing Home  
Abuse



Product  
Liability



Property & Life  
Insurance and  
AD&D



Sex  
Trafficking



Slip & Fall



Social Security  
Disability



Spinal Cord  
Injuries



Train Accidents



Veterans'  
Benefits



Whistleblower/  
Qui Tam



Workers'  
Compensation



Wrongful Death

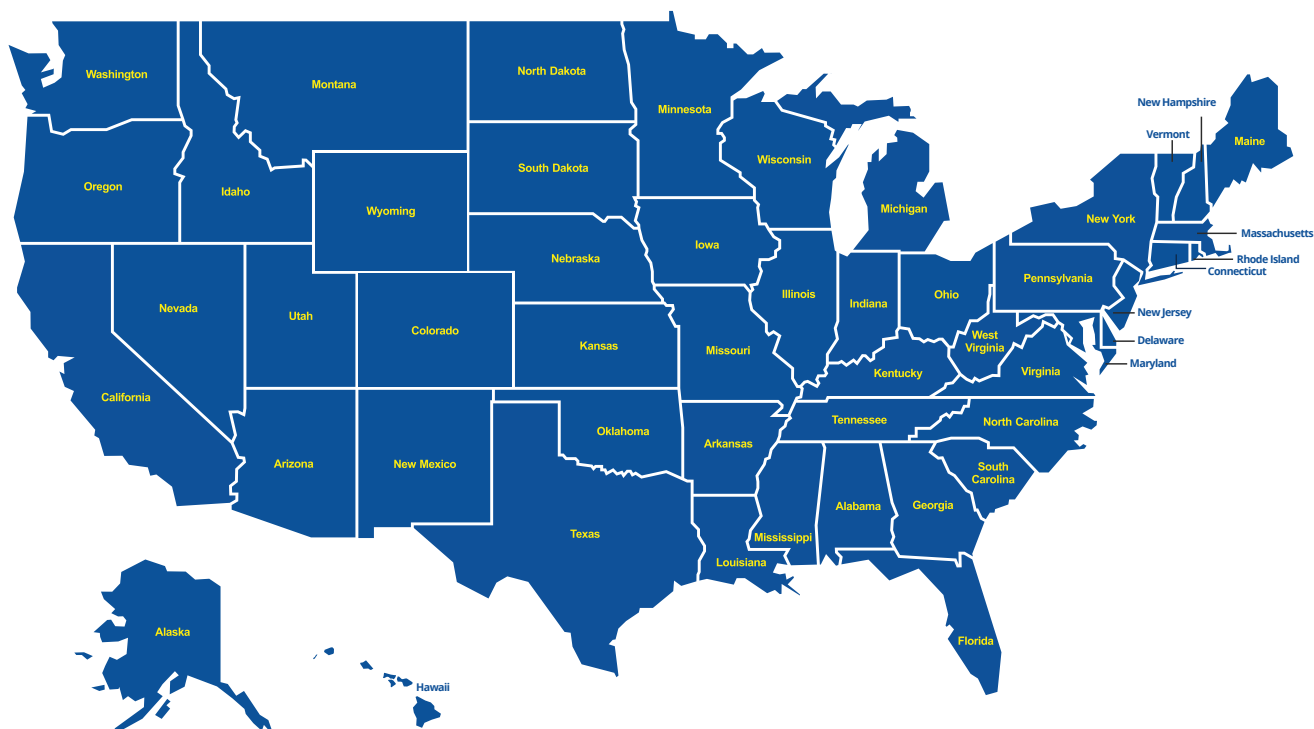




# Offices Nationwide

Morgan & Morgan has offices nationwide, so we're everywhere for everyone. No matter where you are, our highly-skilled trial-ready attorneys are there to help you seek justice.

## OFFICE LOCATIONS







# Attorney Growth & Successes

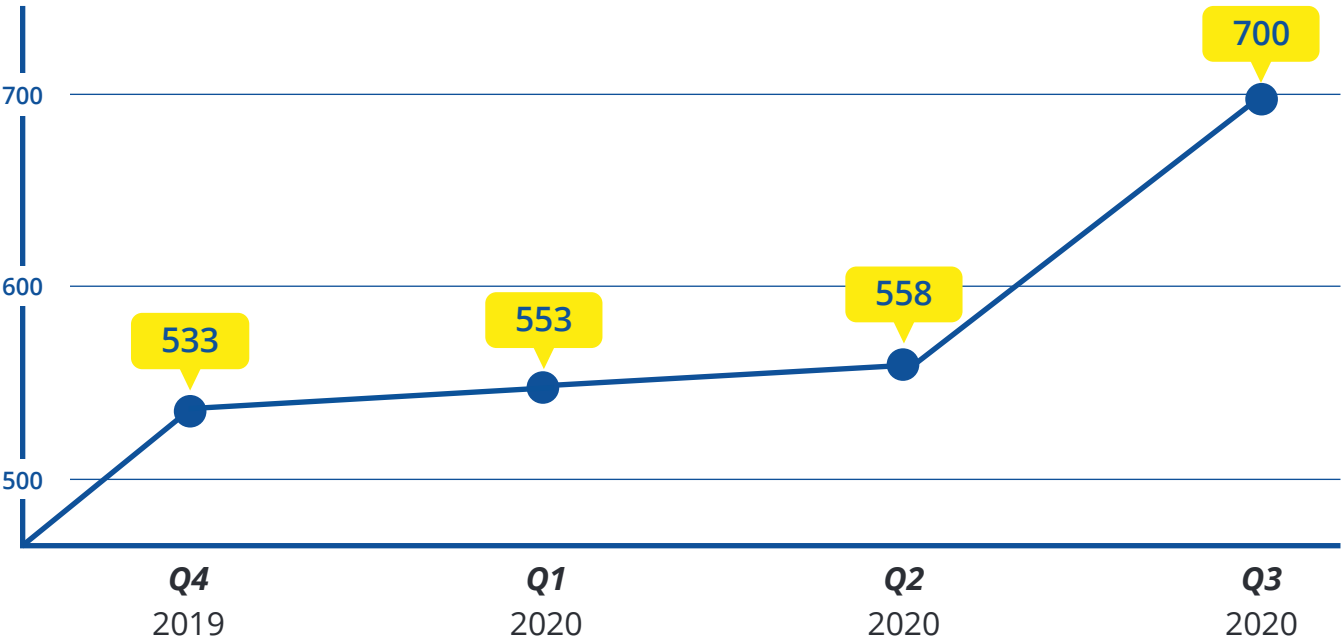
2020

TOTAL AMOUNT RECOVERED:  
**OVER \$1 BILLION**

2020

TOTAL CASES RESOLVED:  
**50,000**

*Attorney Growth:*



# What People Say About Us

*I was able to contact Morgan & Morgan via their online form from the emergency room on the day of my accident. Someone called me the next morning and set up rehab and therapy appointments right away. The following day they came to my home to begin my case. They are swift, professional and customer service-focused. After my accident, I was nervous about driving.*

“ “ Z.A., ATLANTA, GA

*I would just like to say that, regardless of my injuries and all that I am currently going through daily, my attorney was absolutely wonderful to me as far as listening to my concerns and thoughts and always asking if I needed anything. He made sure that he let me know that I could call him at any time for whatever I wanted to discuss regarding my case! He is a true God send and I simply love his attitude and the attention he gives to clients. From day one, this firm has gone above and beyond the call of duty making certain that I was reached out to in a very timely manner. You all ran circles and holes around the first firm! I would recommend you to family, friends, and complete strangers!*

“ “ Alicia, JACKSON, MS

*Unbelievably organized, responsive, and probably the most effective process-oriented group of people I've ever seen. Their preparation for mediation and trial is beyond comprehensive. Across two cases and three years, not once did anything fall between the cracks. Everyone I came into contact with exemplifies professionalism; they quickly resolved insurance issues and spent time educating me about everything affecting my cases. I trust Morgan & Morgan and I am grateful for everything they did for me. I recommend them without reservation and will miss working with them now that my civil suit is settled.*

“ “ Jerri, JACKSONVILLE, FL

*They are the most caring and personal attorneys you could ever have on your side. They genuinely make you feel like helping you in every way they can is their goal and main priority. I'd highly recommend this firm to anyone in need. They treat you as if you were a part of their family and are always seeking the best for the client.*

“ “ Janet, LOUISEVILLE, KY

*I emailed my questions and concerns and had doubt that anyone would contact me in the next 24 hours. I emailed them around 8:30 pm. I received a call the very next morning and the representative explained that after I answered her questions she would turn it over to a lawyer and then they would contact me. She answered all my questions and concerns. She gave me hope that I did the right thing. She said I should hear something in the next few days after a lawyer has time to review. I will not have to pay anything unless they win a settlement. I will receive all the information soon as to what will happen next. It has been less than 24 hours and everything is set in motion.*

“ “ Tammy, Orlando, FL

*I couldn't be happier with the service and the professionalism of your staff I was very satisfied with the outcome of my case. The team always returned my telephone calls in a timely manner and shared valuable as well as valid information. They were very professional and maintained a positive attitude. I would definitely use your services again if I was faced with a situation that required an attorney or legal advice and I would also refer your agency to others. Although my situation was unfortunate, I was glad to have your team on my side to get me through the difficult times. Again, I say THANK YOU.*

“ “ Kathy, MEMPHIS, TN

# In the News

At Morgan & Morgan, everything we do — from the cases we take on to our wins in the courtroom — makes an impact. That's why in 2019, our legal actions, settlements, and verdicts were covered by premier national and international media outlets like The New York Times, The Washington Post, The Guardian, and CNN, as well as local media outlets.

Here are some of our cases that made headlines in 2019.



## Restoring Basketball Glory

In 2018, the NCAA imposed a penalty on the men's basketball team at the University of Louisville (Kentucky) for alleged rules violations. They had their 2013 NCAA tournament win, 2012 Final Four appearance, and individual player statistics vacated and removed from the record.

With the help of John Morgan, our firm's founder, the team's players sued the NCAA and last year reached a confidential settlement. The players had all their statistical achievements and personal honors restored.

Coverage appeared on ESPN, Fox Sports, and in the Associated Press, among others.

## Morgan & Morgan Attorney Named Cybersecurity MVP

Morgan & Morgan's John Yanchunis was named a 2019 MVP by Law360 — the premier national legal news service — in recognition of his work protecting the rights of consumers harmed by data breaches.

Last year, John achieved a notable victory when he and his team reached a \$117 million settlement with web giant Yahoo after a data breach compromised billions of user accounts.

## Major Settlement in MA Gas Explosions Case

In September 2018, a series of explosions ripped through the Merrimack Valley, Massachusetts, towns of Lawrence, Andover, and North Andover. These explosions were caused by excess gas pressure in poorly built, poorly installed, and poorly maintained natural gas lines owned and operated by Columbia Gas of Massachusetts.



More than 40 homes experienced explosions and fires as a result, which caused severe damage and injury, including one death. Morgan & Morgan's Frank Petosa took the lead in the lawsuit representing the victims, and in July 2019, a \$143 million settlement was reached.

Coverage appeared in The Washington Post and The Boston Globe, and was provided by the Associated Press.

### Florida Powerhouse

Although we're a nationwide firm, Florida is still Morgan & Morgan's home base. This year, the firm was recognized for its achievements in the Sunshine State as a Law360 "Florida Powerhouse."

With over 350 attorneys in the state and more than two dozen offices, Morgan & Morgan has made an indelible name for itself there through litigation and impact.

### Fighting for a Zipline Accident Victim

A 10-year-old boy from Lakeland, Florida, was seriously injured when his zipline harness disconnected and he fell 20 feet to the concrete below. On behalf of his family, Morgan & Morgan is pursuing legal action against the operators of the zipline facility, alleging employee error due to improper training and safety procedures.

Coverage appeared on the ABC, FOX, NBC, and CNN news channels, among others.

The New York Times

The Washington Post

WALL STREET JOURNAL

POLITICO

USA TODAY

AP Associated Press

billboard

Newsweek

THOMSON REUTERS

CNN

Forbes

abc

FOX

NBC

BUSINESS INSIDER

TODAY

ESPN



# Contact Morgan & Morgan's Mass Tort Lawyers

**In the most difficult moments of your life, Morgan & Morgan has your back.** The manufacturers of Enfamil and Similac should have disclosed the true side-effects of their product prior to sale, and their failure to do so is an actionable offense. If your child was diagnosed with NEC after using baby formula, our attorneys want to help you overcome this tragic situation and hold the negligent party accountable.

You pay nothing out-of-pocket when you file a claim with us, only pay if we win.

**Dial #LAW or visit us online at [forthepeople.com](https://forthepeople.com) to arrange a free, no-risk case evaluation.**

**MORGAN & MORGAN®**