

EXPERT WITNESS SUPPORT

Toxicology and the Courts / Expert Witness Support —U.S.

toXcel's scientific and regulatory staff have extensive experience in development and presentation of expert opinions for litigation cases, including toxic torts. Our senior staff have developed expert reports for submission in a broad range of cases. Our experts have testified at deposition and trial, and have undergone direct examination, cross-examination, and rebuttal on scientific and regulatory issues related to the cases. We have represented both defendants and plaintiffs through application of sound scientific principles. Our strengths include:

- Professional certifications that have helped establish our credibility in our fields of expertise;
- Membership in professional organizations and continuing education of senior staff in scientific areas, which demonstrates current updating of expertise;
- Depth and breadth of experience in exposure assessment, risk assessment, toxicology, and regulatory issues;
- Experience on both defense and plaintiff cases in a variety of practice areas; and
- Familiarity with the strategies for successfully defending against aggressive cross-examination by opposing counsel.

Because the great majority of litigated cases settle before trial, our focus is on developing “bullet-proof” expert reports that provide the maximum advantage to our clients when leveraging settlement agreements. The capabilities of the **toXcel** litigation support team are strengthened by current ongoing regulatory and scientific consulting activity in a variety of areas, including (1) product registrations and compliance with regard to Federal requirements such as FIFRA and TSCA regulations; (2) determinations of compliance with California Proposition 65; and (3) hazard evaluation, exposure assessment, and risk assessment of chemicals in a wide variety of products as part of determination of regulatory compliance. These products include industrial chemicals, antimicrobials and pesticides, cosmetics, personal care products, indoor air care products, cleaning and laundry products, heating and cooling appliances, and medical devices. Examples of litigation cases in which **toXcel** senior staff have been involved as expert witnesses include:

- Health impacts from residential contamination from chemicals applied by remediation contractors;
- Alleged violation of non-compete agreements between manufacturers of pesticides;
- Alleged development of adverse health effects from worker exposures to solvents;
- Adverse health impacts from improper contractor application of termiticides to residences;
- Alleged carbon monoxide releases from combustion sources in residences;
- Alleged occupational exposures during periodic sampling and analysis of bulk chemicals;
- Alleged residential exposures and adverse effects from improper storage of pesticides;
- Alleged improper labeling of agricultural pesticides on hazards and protective equipment; and
- Alleged misbranding of household disinfectant products, leading to personal injury.

toXcel has been successful in helping clients to prevail in legal proceedings by offering experienced, credentialed, and poised expert witnesses who are well-recognized in their fields. Nearly all of the cases in which we were involved were decided in our clients' favor or settled favorably. **toXcel's** litigation emphasis is on bringing the best level of science to bear on the pertinent issues for each case.

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