

# CONSUMER JUSTICE ALMANAC

A Publication from the Justice Attorneys at Aylstock, Witkin, Kreis & Overholtz, PLLC | 2023

WHAT'S INSIDE THIS ISSUE:

HAIR STRAIGHTENER / RELAXER - CANCERS  
TALCUM POWDER / OVARIAN CANCER  
SOCIAL MEDIA ADDICTION  
ANTI-TERRORISM LITIGATION

*...AND MORE*



## 2023 AWKO ALMANAC

Back by popular demand is our Consumer Justice Almanac. Inside, we highlight some of AWKO's ongoing and emerging litigation. We encourage you to review the Almanac and share it with friends and loved ones.

We are available to provide a free consultation to anyone who wants more information or would like to discuss a potential legal claim.



A recent groundbreaking study reveals a four times (4x) risk to women of color developing uterine cancer.

## CHEMICAL HAIR STRAIGHTENERS / RELAXERS - UTERINE AND OVARIAN CANCERS

Recently published scientific studies have found that women of color who regularly use chemical straightening or hair-relaxing products develop uterine and ovarian cancer at a disproportionately high rate compared to white women.

Specifically, the National Institutes of Health (NIH) reported a two to four-fold (greater than 100%) increased risk of endometrial/uterine and ovarian cancers in two separate publications.

In both instances, NIH targeted the presence of chemicals called “Endocrine Disrupting Chemicals” (EDCs) as the offending agent in the products. These EDCs mimic estrogen and overload the body, leading to the formation of Uterine Fibroids (UF) and the above-referenced cancers.

Alarming, the manufacturers of these products, including L’Oréal, Softsheen-Carson, Luster, ORS, Unilever, Godrej, and others, market the products (e.g., Just For Me®, Olive Oil™, Dark & Lovely®, Motions®, etc.) without warning of these potentially deadly cancers.

*If you or a loved one used hair straighteners more than five times a year and later developed uterine or ovarian cancer, you may have a valuable legal claim.*



# TALCUM POWDER - OVARIAN CANCER

Johnson & Johnson's Baby Powder and Shower to Shower® products contain talcum powder or "talc." Mined talc often contains asbestos which causes ovarian cancer.

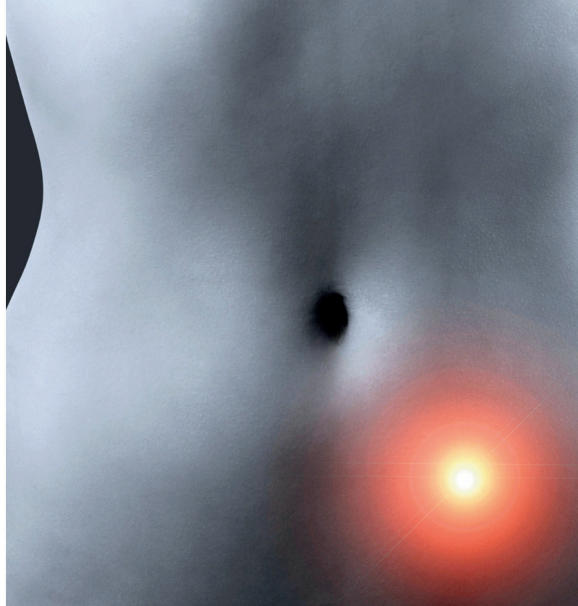
Multiple studies, academics, and practicing physicians have all concluded that women using products containing talcum powder in their genital region regularly have as much as a 30% increase in the risk of developing ovarian cancer.

According to internal documents, Johnson & Johnson (J&J) was aware of asbestos contamination in its talcum powder as early as the 1950s.

Documents show that from at least 1971 to the early 2000s, the company's raw talc and finished powders sometimes tested positive for small amounts of asbestos and that company executives, mine managers, scientists, doctors, and lawyers knew it.

After losing multiple trials with individual verdicts in excess of 70 million dollars, J&J opened a subsidiary that filed for bankruptcy.\*

*If you or a loved one have been diagnosed with ovarian cancer or a related condition due to J&J's Baby Powder and Shower to Shower® products, you may be entitled to compensation.*



## BREAKING NEWS

\*On January 30, 2023, the 3rd Circuit Court of Appeals dismissed J&J's talc unit "LTL Management's" Chapter 11 Bankruptcy case.



## ACETAMINOPHEN / TYLENOL® DURING PREGNANCY - AUTISM

A large body of scientific literature has linked ingestion of acetaminophen during the second and/or third trimester of pregnancy to the development of autism. Specifically, in 2019, a study funded by NIH from Johns Hopkins analyzed umbilical cord blood samples from 996 births and found that exposure to acetaminophen increased a child's risk for autism spectrum disorder.

The study found that babies with the highest acetaminophen levels in the cord blood were three times more likely to be on the autism spectrum than children with lower acetaminophen levels in their cord blood.

In 2020, the journal JAMA Psychiatry found that "biomarkers of fetal exposure to acetaminophen were associated with significantly increased risk of childhood [autism] in a dose-response fashion." These findings were ultimately echoed in 2021 by countless scientists and experts through a published statement in Nature Reviews Endocrinology.



*If your family has been impacted by prenatal exposure to acetaminophen, we want to help you get the compensation you deserve. Reach out to us today!*



# HEAVY METALS IN BABY FOOD

A U.S. House of Representatives Subcommittee Report recently revealed that multiple manufacturers of baby food products knowingly distributed products tainted with heavy metals, such as arsenic, lead, cadmium, and mercury.

These manufacturers include Nurture (Happy Family® Organics), Beech-Nut®, Hain Celestial (Earth's Best® Organic), Gerber®, Plum® Organics, Walmart (Parent's Choice™), and Sprout Organic® Foods.

Multiple studies have linked heavy metal exposure to autism. A 2019 study by BioMetal scientific journal noted that "the implications of heavy metals with regards to children's health have been noted to be more severe compared to adults."

*If you or a loved one has a family member suffering from neurocognitive disorders, such as autism spectrum disorder (ASD) or attention-deficit/hyperactivity disorder (ADHD), that you believe is connected to the ingestion of heavy metal-tainted baby food products produced by the manufacturers above, please contact us today.*





## SIMILAC® AND ENFAMIL® PREMATURE INFANT FORMULA - NECROTIZING ENTEROCOLITIS (NEC)

Multiple studies have shown that premature babies given cow's milk-based formulas (such as Similac® and Enfamil®) face a significantly higher risk of Necrotizing enterocolitis (NEC) than those fed human milk or human milk-based formulas.

NEC is a devastating condition affecting premature babies' intestines, leading to tissue death, perforation, and scarring, which in turn can require invasive surgery (such as removal of the colon) and lead to sepsis, neurological damage (cerebral palsy) and even death.

Abbott Laboratories and Mead Johnson failed to disclose this vital information to parents and physicians alike.

*If your premature baby was diagnosed with NEC after receiving Similac® or Enfamil® formulas, you may be entitled to compensation.*





## RECALLED FORMULA

On February 17, 2022, the FDA warned consumers to “not use recalled Similac®, Alimentum®, and EleCare® Powdered infant formulas produced in Sturgis, Michigan.”

The announcement followed an investigation of multiple hospitalizations and deaths of infants suffering from *Cronobacter sakazakii* after ingesting Abbott's powdered infant formula produced in its Sturgis, Michigan plant.

*Cronobacter sakazakii* (also called *Enterobacter sakazakii*) and *Salmonella* bacteria are especially dangerous for infants and can lead to bacterial meningitis, massive brain injury, sepsis, and death.

***If you or a loved one has a family member who contracted *Cronobacter sakazakii* or *Salmonella* after ingesting Abbott powdered infant formula, contact us today!***





## META: SOCIAL MEDIA ADDICTION - A PUBLIC HEALTH CRISIS

Self-harm, eating disorders, sexual exploitation, and suicide attempts are common in children and adolescents with social media addiction. Meta, Snapchat, and other social media companies have known for years that their products may lead minors into harmful and dangerous situations or self-destructive behavior.

Despite that knowledge, these companies have targeted minors in ways that fueled addiction and exposed them to exploitation, sexual abuse, child sex abuse material (CSAM), and various other harms. These companies consistently placed their economic goals ahead of the health and safety of our children.

Further, these social media products are designed with defective features that help sexual predators target and connect with vulnerable young users for CSAM and other nefarious purposes.

Victims of CSAM are re-victimized each time their images are shared online from predator to predator. Under federal laws, victims of CSAM have the right to seek liquidated damages of up to \$150,000 against each predator found guilty of possessing the CSAM.

*If your child has suffered from social media addiction and/or has been a victim of CSAM, contact us today!*



# SEXUAL ABUSE

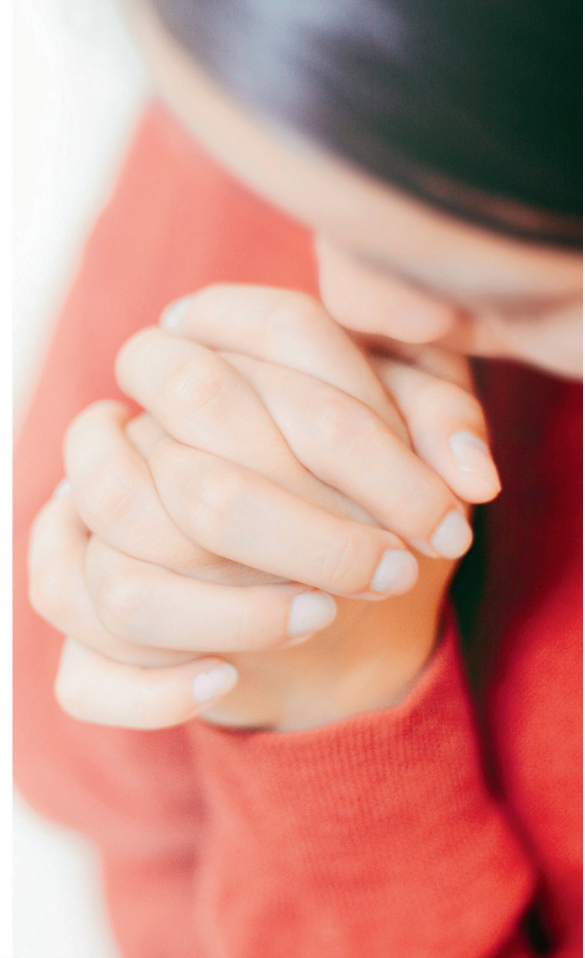
Stories of sexual assault or exploitation are not just headlines – they are the lived experiences of thousands of survivors. We hold institutions that protect perpetrators accountable by forcing proper and just reparation. Fortunately, many of those same institutions maintain internal lists of offenders, which become self-incriminating.

This is the case for several religious organizations, including the Catholic Church and the Southern Baptist Convention. With state legislatures all across the country enacting “lookback windows” to revive statutes of limitations, survivors of childhood sexual abuse can now pursue claims that had been previously time-barred.

For decades, survivors have been left without the resources to heal from the abuse they suffered, and many survivors spiraled into depression, isolation, substance abuse, and suicidal thoughts.

While not all survivors wish to recount their traumatic experiences, those who feel compelled and supported to speak out are working toward reclaiming individual and collective power.

*Our trauma-informed attorneys are here to help survivors of childhood and adult sexual abuse find closure and justice with discretion and compassion. Contact us today to help us hold these institutions accountable.*





## ANTI-TERRORISM LITIGATION

Congress created a fund that is available to compensate our Veterans who were injured during the War on Terror. U.S. Military Veterans/U.S. Government Contractors (and their families) who participated in combat operations in the Afghanistan conflict (2001-2017) and/or the Iraq conflict (2003-2011) are eligible to be represented by legal counsel in this case.

Our Anti-Terrorism Team is led by LtCol Andrew Del Gaudio, USMC (Ret) PhD. who served 26 years as a Marine Infantry Officer and was decorated with the Bronze Star with Combat "V" and the Purple Heart for service in Iraq and Afghanistan over his six tours of combat.

Also leading the Anti-Terrorism Team is COL Sean Hollonbeck, USA (Ret). Sean is a decorated Army physician with six combat deployments (three AFG, three Iraq) serving 160th SOAR(A) Night Stalkers and 7th Special Forces. COL (Ret) Hollonbeck was awarded two Bronze Stars and two Air Medals.

To be eligible to make a claim, a service member must have been killed or wounded by enemy action in Afghanistan or Iraq. Methods of enemy engagement include but are not limited to, Improvised Explosive Devices (IEDs), Explosively Formed Penetrators (EFP), Rocket/Mortar Fire, Sniper Fire, or Complex Close Ambush.

***For more information about the Anti-Terrorism Litigation or to file a claim, contact us today!***

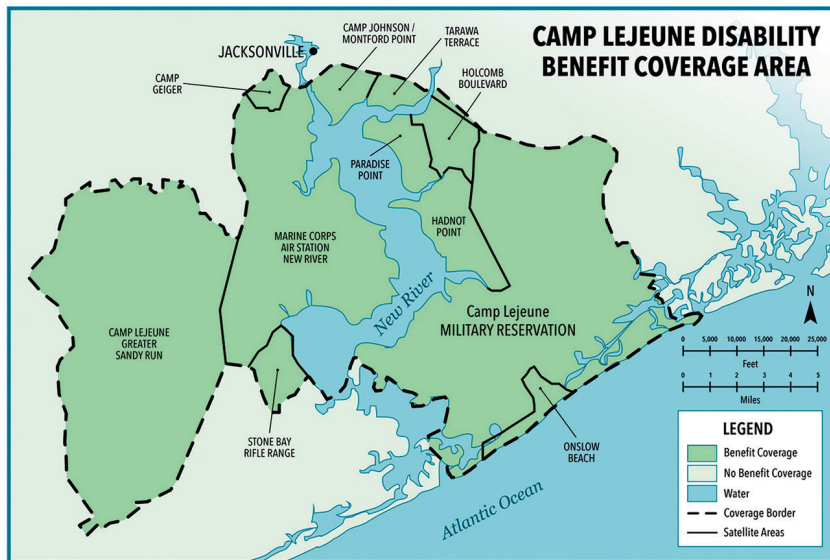


# CAMP LEJUNE: WATER CONTAMINATION - CANCER

Camp Lejeune is a U.S. Marine Corps Base in North Carolina. People that lived or worked at Camp Lejeune between 1953 and 1987 drank, bathed in, and cooked with water that was severely contaminated with volatile organic compounds (VOCs) and other chemicals, which have led to serious chronic health conditions and has taken the lives of children and adults.

Exposure to Perchloroethylene (PERC or PCE) and Trichloroethylene (TCE) occurred mainly in the Hadnot Point water treatment facility and the Tarawa Terrance water treatment plant, respectively.

Our firm is pursuing claims for individuals who have been exposed to PERC/PCE and TCE and have developed one of the following conditions: leukemia, bladder cancer, kidney cancer, liver cancer, multiple myeloma, non-Hodgkin's lymphoma, ALS (Lou Gehrig's Disease), cardiac defects, epilepsy, hepatic steatosis, immune disorders, infertility, miscarriage, myelodysplastic syndromes, neurological effects, neurobehavioral performance deficits, aplastic anemia, renal toxicity, and scleroderma.



*If you or a loved one were exposed to contaminated water in the (USMC) Base Camp Lejeune area, contact us today!*





## SERVICE-CONNECTED DISABILITY COMPENSATION

VA service-connected disability compensation benefits are monthly payments made to Veterans and, in some cases, their families for disabilities related to events or injuries suffered in service. Veterans that apply may receive a disability rating based on the degree of one or more disabilities.

Congress recognized that, sometimes, events occur in service that take years to result in a disability. Veterans are entitled to bring claims for disability compensation even if they develop a disability long after discharge. Additionally, Veterans have the right to reopen claims denied by the VA based upon new, material evidence supporting their claims.

Our firm has over three dozen Veterans on staff representing all branches, ready to discuss the facts underlying your disability claim. We have also established strategic partnerships with the best subject matter experts in the country to support new or renewed VA Disability claims.

***If you or a loved one is a Military Veteran with service related disabilities that are not being currently compensated by the VA, you may be entitled to compensation. Contact us today!***



# FIRST RESPONDERS: AQUEOUS FILM-FORMING FOAM (AFFF)

Firefighters (military and civilian) and support personnel who came into contact with Aqueous Film-Forming Foam (AFFF) used to extinguish flammable liquid fires are at risk of severe health complications.

Specifically, AFFF contains a high level of poly-fluoroalkyl substances (PFAS) within the foam, which has been linked to several cancers and thyroid diseases. Unfortunately, manufacturers of AFFF failed to adequately warn firefighters of these life-threatening risks.

Today, AWKO represents many firefighters and their families who unfortunately face a new battle against cancers (testicular, kidney, prostate, liver, pancreatic, bladder, and thyroid cancers) and thyroid diseases (hyperthyroidism, hypothyroidism, Graves and Hashimoto's).

***Let us help you fight for justice! If you or a loved one were exposed to AFFF firefighting foam and developed cancer or thyroid disease, contact us today to discuss your potential legal claim.***





# CPAP - PULMONARY-RELATED INJURIES

Continuous Positive Airway Pressure (CPAP) and Bilevel Positive Airway Pressure (BiPAP) machines are commonly used to treat sleep apnea. Foam added by the manufacturer, Philips, to reduce sound and vibration can break down into debris and, once inhaled, can lead to serious injury, including:

## Pulmonary/Lung Injuries:

- Acute respiratory distress syndrome (ARDS)
- Asthma (new or worsening)
- Lung damage
- Pleural effusion
- Pneumonia
- Pulmonary fibrosis
- Reactive airway disease (RAD)

## Cancers:

- Acute myeloid leukemia (AML)
- Bladder
- Blood
- Bone marrow
- Esophageal
- Hematopoietic
- Laryngeal
- Leukemia
- Liver
- Lung
- Lymphoma
- Kidney
- Multiple myeloma
- Nasal
- Non-Hodgkin's lymphoma (NHL)
- Papillary/Thyroid
- Oral
- Soft palate
- Sinus
- Throat
- Tonsil

*If you've used a Philips CPAP, BiPAP, or ventilator machine and suffered injuries, you may be entitled to compensation. Contact us today!*



# EXACTECH RECALL - HIP AND KNEE REPLACEMENT DEFECTS

In 2021 and again, in 2022, Exactech, a manufacturer of hip, knee, and ankle implants used in joint-replacement surgery, issued recalls covering each of these three prosthesis.

Though the company initially indicated the recall was due to the errors in the printed labels used on boxes that could result in the implantation of the device components beyond a certain shelf life, it has been revealed that the polyethylene plastic used in the manufacture of those devices was improperly cured, resulting in degradation and premature wear.

*If you or a loved one has been implanted with an Exactech joint replacement system, contact our office as soon as possible to discuss your potential claim. Our team will work tirelessly to assist you and protect your rights.*





## PARAQUAT - PARKINSON'S DISEASE

Paraquat is a toxic chemical often used as an herbicide to control weeds in soybean, corn, and other crops, grapes and orchards, pasture and hay fields, and to defoliate cotton. Studies show that workers who mixed, sprayed, or were exposed to the chemical are at higher risk for Parkinson's disease (PD).

In fact, a 2011 study by the National Institutes of Health and Parkinson's Institute surveyed farmers in North Carolina and Iowa and determined these farmers were 2 ½ times more likely to develop PD if they were exposed to Paraquat or Rotenone.

Additionally, in 2012, a study found that individuals with certain genetics who were exposed to Paraquat were 11 times more likely to develop PD. Paraquat makers refused to disclose the risk of PD on its label, putting commercial farm workers and licensed agricultural users at serious risk.

*Farm workers, herbicide applicators, and other individuals with Parkinson's disease caused by Paraquat exposure may be entitled to settlement benefits and financial compensation. Call us today to see if you may be entitled to compensation.*



# ROUNDUP® - NON-HODGKIN'S LYMPHOMA

Roundup® is a common and popular weed killer used both commercially and privately. Studies have shown that glyphosate (a chemical in Roundup®) might cause cancer and has been categorized by the International Agency for Research on Cancer as a possible carcinogen to humans. The most common cancer associated with Roundup® is non-Hodgkin's lymphoma (NHL).

A study from the University of Washington found that exposure to glyphosate increased an individual's risk of non-Hodgkin's lymphoma by 41%. Additionally, the CDC recently released findings that up to 80% of Americans may have been exposed to Roundup®.

In July 2022, the 11th Circuit ruled that Bayer had failed to adequately warn about the risk of cancer from Roundup®. There have been a number of jury verdicts for people alleging they developed NHL after exposure to Roundup®. While some of those verdicts have been in favor of the manufacturer, others have resulted in very significant damage awards to the Plaintiffs.

*If you or a loved one developed NHL after being exposed to Roundup®, please call us today for more information about your potential legal claim.*





## FARMERS FINANCIAL ASSISTANCE DISCRIMINATION

The Inflation Reduction Act of 2022 has allocated 2.2 billion dollars as compensation for farmers, ranchers, and forest landowners who experienced discrimination in the USDA Farm Lending Programs prior to January 1, 2021.

There is no established beginning date, meaning that individuals who were discriminated against long ago are still eligible for compensation. Estate claims on behalf of deceased individuals can also be asserted.

The Act aims to address disparities in access to USDA programs, such as Direct FSA Farm loans and Guaranteed Farm loans, as a result of discrimination based on race/color/national origin, sex/gender, sexual orientation, religion, age, marital status, familial status, disability, retaliation for civil rights, receipt of public assistance, or political beliefs.

Such discrimination may have led to loan denials, delinquent loans, underfunded loans, excessive loan application requirements, excessive interest rates, and excessive collateral for loans.

*If you or a loved one has experienced discrimination while attempting to participate in a USDA lending program, please call us today for more information regarding your legal claim.*



# PERSONAL INJURY

For over 20 years, AWKO has successfully represented operators and passengers of motor vehicles, motorcycles, and ATVs to secure fair compensation for personal injury/death, property damage, and lost wages.

Regardless of where an accident occurs, AWKO can help as primary lead counsel in states where our attorneys are licensed or as the referral co-counsel in all other states across the country. In each instance, AWKO can deploy a team of consulting medical experts to zealously support our clients and families' legal rights.

If you or a loved one is involved in an accident, contact us immediately to protect your legal rights and secure the highest compensation available.

*For helpful tips after an accident, or to file a personal injury claim, scan the QR code below!*





## CRYPTOCURRENCY EXCHANGE LITIGATION

Several centralized cryptocurrency exchanges used to buy, sell and trade digital currencies (i.e., Bitcoin, Ethereum, etc.) have recently collapsed. The most publicized involves allegations of fraud, criminal conspiracy, and embezzlement relating to the exchange “FTX,” which lost an estimated 6 billion dollars. Another less egregious example involves the exchange “Gemini” and its product “Gemini Earn,” which lost nearly 1 billion dollars in digital assets overnight.

Unfortunately, a more sinister element has also led to massive cryptocurrency losses. Specifically, perpetrators of fraud often prey upon individuals with accounts or wallets, stealing billions of dollars in crypto assets each year. This theft is usually in the form of theft via a computer hack or direct misrepresentations.

Our firm is aggressively pursuing claims on behalf of victims of the collapsed exchanges and/or fraud and theft to recover some or all of our clients’ digital currencies. Through forensic cyber-discovery, civil litigation, arbitration, and bankruptcy proceedings, we employ state-of-the-art technology and legal measures to identify, track, protect, and recover our clients’ digital assets or their monetary value.

*For more information about the Cryptocurrency Exchange Litigation or to file a claim, contact us today!*



# DATA BREACHES

Individuals, businesses, and big corporations suffer data breaches usually due to a technological weakness or a user's behavior. Data breaches may result in the exposure of personal information including social security numbers, banking information, and credit card information.

These breaches put us at risk of identity theft, financial losses, ruined credit, and possibly blackmail. Hackers use methods including phishing, brute force attacks, and malware to access confidential and sensitive personal information.

It is crucial to ensure you do all you can to protect your personal data and information. Make sure that you keep your software updated, update devices when they are no longer compatible with new software updates, implement strong passwords, and avoid clicking on suspicious links.

Companies are required to implement security measures to protect customer and consumer data. When they fail to implement adequate security, causing a breach, or fail to inform consumers of a breach, the victims of the breach may have valuable legal claims.

*If you or a loved one were a victim of a data breach, please call us today for more information about your potential legal claim.*





# OUR FIRM

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Aylstock, Witkin, Kreis & Overholtz, PLLC is a Florida-based law firm with a national practice protecting the rights of consumers who are seriously injured or suffer financial losses as a result of fraud and/or deception, defective products, defective medical devices, accidents, or other negligent behavior.

Founded in 2001, Aylstock, Witkin, Kreis & Overholtz, PLLC has represented over 250,000 clients across the country. We have recovered billions of dollars in verdicts and settlements for our clients.

Our attorneys have hundreds of years of combined experience in personal injury and pharmaceutical litigation, and our extensive network of resources allows us to tackle the most complex legal matters. Our entire legal team is dedicated to providing the utmost care and detail surrounding your case.

We understand how difficult it can be to navigate the legal field when you are hurt, sick, or injured. That's why it's our mission to fight for your legal rights on your behalf. If you or a loved one has been injured by a defective drug, device, or product, or suffered financial losses as a result of fraud or deception, allow us to use our experience and expertise to fight for you.

# WHO WE ARE - FOUNDING PARTNERS

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BRYAN AYLSTOCK

Founding Partner

ACETAMINOPHEN / TYLENOL®  
ANTI-TERRORISM  
CAMP LEJUNE  
DATA BREACHES



JUSTIN WITKIN

Founding Partner

FINANCIAL ASSISTANCE DISCRIMINATION  
PARAQUAT  
ROUNDUP®  
TALCUM POWDER



DOUGLASS KREIS

Founding Partner

AQUEOUS FILM-FORMING FOAM  
ANTI-TERRORISM  
CAMP LEJUNE  
DISABILITY COMPENSATION  
EXACTECH



NEIL OVERHOLTZ

Founding Partner  
(1972-2022)

# YOUR JUSTICE ATTORNEYS

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Partner

PERSONAL INJURY  
SEXUAL ABUSE



JENNIFER HOEKSTRA

Partner

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STEPHEN ECHSNER

Partner

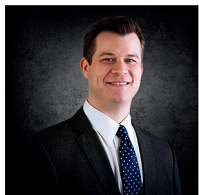
PERSONAL INJURY



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AQUEOUS FILM-FORMING FOAM  
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CAITLYN MILLER

Attorney

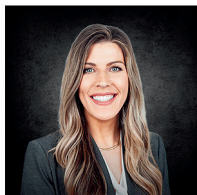
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HAIR STRAIGHTENER / RELAXER

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## ON-DEMAND COMMUNICATION PORTAL FOR AWKO CLIENTS

Staying up-to-date on your case and receiving important messages about safety issues has never been easier than with AWKO's CaseLocker.

Once you install the CaseLocker app on your smartphone, you will have on-demand access to the status of your case, the ability to send and receive messages and to view, download and upload documents and other materials. All CaseLocker communication is encrypted, ensuring the confidentiality and security of sensitive information.

Receiving important information without delay is essential to success in your case. With the CaseLocker app, there is no more waiting on phone calls or traditional mail delivery.

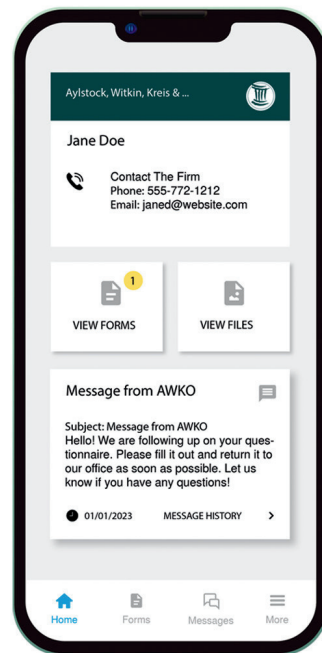
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*If you or a loved one has been  
injured by a defective drug,  
device, or product, allow us to  
use our experience and  
expertise to fight for you.*



PROUDLY HOLDING 4 OF THE TOP 10  
VERDICTS IN FLORIDA FOR 2022

