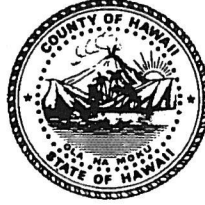


Mitchell D. Roth
Mayor



Elizabeth A. Strance
Corporation Counsel

Laureen L. Martin
Assistant Corporation
Counsel

COUNTY OF HAWAII
OFFICE OF THE CORPORATION COUNSEL

101 Aupuni Street, Suite 325 • Hilo, Hawaii 96720 • Phone (808) 961-8251 • Fax (808) 961-8622

July 20, 2021

Via Electronic Mail only

John Choi, Esq.
Hawaii Accident Law Center
Pacific Guardian Center
733 Bishop Street, Suite 2390
Honolulu, Hawaii 96813
attorneyjohnchoi@gmail.com

Dear Mr. Choi:

Re: Fiscal Year 2021-22 Professional Services: Statement of Qualifications (SOQs)

Thank you for submitting your and Napoli Shkolnik PLLC Statement(s) of Qualifications for providing professional services to the Office of the Corporation Counsel, County of Hawaii. Based upon the information provided, the Department's review committee has determined that both firms are qualified to perform services for the following category:

- 50) Attorney/Law (Civil Rights Defense)
- 51) Attorney/Law (General Personal Injury Defense)
- 52) Attorney/Law (Criminal Defense of County Employees)
- 53) Attorney/Law (General defense in civil matters, including administrative proceedings)
- 54) Attorney/Law (Federal and State Tax)
- 55) Attorney/Law (Worker's Compensation)
- 56) Attorney/Law (Constitutional)
- 57) Attorney/Law (Public Sector Employment)
- 58) Attorney/Law (Public Financing)
- 59) Attorney/Law (Drafting of Legislation and Administrative Rules)
- 60) Attorney/Law (Real Estate)
- 61) Attorney/Law (Land Use, Planning)
- 62) Attorney/Law (Class Actions)
- 63) Attorney/Law (Procurement)
- 64) Attorney/Law (Enforcement of Federal, State and County Law)

- 65) Attorney/Law (Condemnation)
- 66) Attorney/Law (Construction Litigation)
- 67) Attorney/Law (Bankruptcy)
- 68) Attorney/Law (Commercial Transactions)
- 69) Attorney/Law (Collections)
- 70) Attorney/Law (Fair Labor Standards Act and other laws related to compensation)
- 71) Attorney/Law (Environmental)
- 72) Attorney/Law (Regulatory)

If you are qualified for a category, your firms will remain on the Department's List of Qualified Providers of Professional Services until June 30, 2022. For your information, this list may be utilized by any County agency during this time period.

When the need for professional services arises, a selection committee will review the qualifications of firms on the list in the appropriate category. Professional services procurements that equal or exceed \$5,000.00 are posted on the County's website within seven (7) days of the contract award.

Thank you for your interest in providing professional services to the County of Hawai'i. If you have any questions or concerns, please contact Amy Bautista at (808) 961-8251 or corpcounsel@hawaiicounty.gov.

Respectfully,



J Yoshimoto
Deputy Corporation Counsel /
Chair, 2021-22 Professional Services
Statement of Qualifications (SOQs) Review Committee

bcc: County of Hawai'i, Procurement with enclosure

HAWAII ACCIDENT



LAW CENTER

June 25, 2021

Via email: corpcounsel@hawaiicounty.gov

County of Hawaii
The Honorable Elizabeth Strance, County Attorney
101 Aupuni Street, Unit 325
Hilo, HI 96720

Re: **Hawaii County Opioid Litigation Special Legal Counsel**

Dear Honorable Strance:

The undersigned respectfully submit this annual letter of intent to Hawaii County with respect to Special Legal Counsel contract for Opioid Litigation signed in 2019.

Hawaii Accident Law Center and Napoli Shkolnik PLLC are honored to continue providing services to your County as Special Legal Counsel. John Choi will continue to serve as local counsel by association with the New York based Napoli Shkolnik. Hunter Shkolnik, Shayna Sacks, and Paul Napoli, among others, will continue to serve as mainland counsel. We have investigated and pursued litigation against the manufacturers, and wholesale distributors of Opioid pain medications. As you are aware, after we filed the lawsuit, the matter was removed to the multi-district litigation (MDL) in federal court. The MDL has jurisdiction of hundreds of municipalities that have already filed lawsuits against these companies for causing the Opioid epidemic. Many of these municipalities are also represented by Napoli Shkolnik and partners.

Napoli Shkolnik, PLLC is a national law firm with offices in twelve states. Napoli Shkolnik specializes in mass tort, pharmaceutical, environmental, commercial class actions and other complex litigations. Napoli Shkolnik, PLLC has grown to an office including over forty attorneys and hundreds of support staff. The firm has been involved in nearly every pharmaceutical mass tort litigation for the past decade. Napoli Shkolnik attorneys have served in leadership roles in many of these cases. The firm has a long history of representing states and other municipalities in commercial and pharmaceutical litigation and has achieved billions in recovery for its clients, including almost \$1 Billion for 9/11 first responders.

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Facsimile: 808-536-4988

In the pages to follow we have outlined our opioid litigation plan for Hawaii County for 2021-2022.

1. Principal Contacts

John Choi, Principal
Hawaii Accident Law Center
Pacific Guardian Center
733 Bishop St., Ste. 2390
Honolulu, HI 96813
Tel: (808) 792-8333
Fax: (808) 536-4988

Hunter J. Shkolnik, Senior Partner
Paul J. Napoli, Of Counsel
Napoli Shkolnik, PLLC
270 Munoz Rivera Avenue, Suite 201
Hato Rey, Puerto Rico 00918
Tel: (833) 271-4502
Fax: (646) 843-7603

2. Opioid litigation experience

Napoli Shkolnik and partners currently represent over 150 municipalities and counties nationwide in litigation against Opioid manufacturers, distributors and other entities. Opioid cases across the US are currently pending in multiple venues across the country in both state and federal courts.

Napoli Shkolnik will continue litigating the municipal Opioid cases on behalf of Hawaii County are part of the leadership of the MDL and significantly, as Hunter Shkolnik was appointed to the Plaintiff's Executive Committee for the *In Re: National Prescription Opiate Multi-District Litigation*.

In addition to Hawaii County and Kauai County, Napoli Shkolnik currently represents over 200 counties and municipalities nationwide in litigation against Opioid manufacturers, distributors and other entities, including but not limited to in New York, West Virginia, New Jersey, Ohio, New Hampshire, New Mexico, Florida, Georgia, Kentucky, Indiana, Alabama, Texas, Maryland, Tennessee, Louisiana, and Maine.

3. MDL Experience

You can rest assured because Napoli Shkolnik has been involved in nearly every mass tort MDL in the past decade. The MDL was created on December 12, 2017, and we are seasoned in the MDL litigation.

Hunter Shkolnik was appointed to the Plaintiff's Executive Committee within the MDL. So while we will continue to litigate actions in state court, as this matter is currently in the MDL, the County's interests are well represented.

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4. Litigation base

The Hawaii Accident Law Center is located at Pacific Guardian Center, Makai Tower 733 Bishop Street, Suite 2390 Honolulu Hawaii 96813. Accordingly, we will be able to readily meet with the County.

5. Lead attorneys

John Y.U. Choi Principal Attorney, Hawaii Accident Law Center
Licensed to Practice in Hawaii, resume enclosed.

John Y.U. Choi graduated from the University of California at Irvine and was awarded Order of Omega. After college, John taught at the Princeton Review where he was awarded "Teacher of the Year Award." After Princeton Review, John attended law school in Vermont. While at Vermont Law School, John wrote for the Vermont Bar Journal and founded an Asian Pacific American Law Students Association chapter at Vermont Law School.

John Choi has a history of public interest cases:

- Hawaii Opioid litigation – Currently representing Hawaii County and Kauai County associated with nationally recognized Opioid litigation firm Napoli Shkolnik, PLLC, to represent governmental agencies in Hawaii to recapture Opioid epidemic costs from pharmaceutical companies.
- Federal Class Action involving the state and national child abuse registry, *Bird v. State of Hawaii*, co-counsel with Margery Bronster, Former Attorney General, to protect the civil rights of Hawaii residents.
- Roadway design/public safety case - *Huynh v. State of Hawaii, Vares v. State of Hawaii, Siu/Baik v. State of Hawaii*, caused the Department of Transportation to install nine traffic signs to a deadly hairpin curve.
- Defective Seatbelt case - *Chung v. Ford Motor Company*, seatbelt design litigation in Mustang convertible.
- Published Hawaii Supreme Court cases:
 - *Mobley v. Ching*, 146 Haw. 311, 463 P.3d 968 (March 13, 2020), argued the standards for expert testimony and summary judgment and prevailed.
 - *In re Doe*, 101 Hawai'i 220, 65 P.3d 167, as a deputy attorney general argued the separation of powers doctrine, and prevailed.

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After graduation from law school, John worked as a Deputy Attorney General for the State of Hawaii. While a government lawyer, John litigated many cases and had three cases that were appealed to the Hawaii Supreme Court. John won all four of his Hawaii Supreme Court appellate cases.

Two of John's Supreme Court cases were published. In the *In re Doe* case he argued the importance of the separation of powers doctrine arising from the three branches of government, the executive branch, the judicial branch and the legislative branch. *Mobley* decision clarified the law on summary judgment and mandating summary judgment should not be considered before discovery has concluded. That case also touched upon the standard for expert testimony.

In private practice, John has successfully litigated numerous cases at trial on behalf of his clients. He specializes in wrongful death and complex personal injury cases.

John has been involved with the Hawaii Junior Chamber of Commerce where he served as a chapter president. He served as president of the Christian Legal Society in Hawaii. John is currently a member of the Beneficial Protective Order of the Elks, Lodge 616 and a member of the West Honolulu Rotary Club. John has served as a board member of the Hawaii Association for Justice for the past several years.

Hunter J. Shkolnik, Senior Partner, Napoli Shkolnik – New York
Licensed to practice in New York (1985) and New Jersey (1985)

Hunter is a founding partner at Napoli Shkolnik, PLLC and is recognized nationally as a leading attorney in the areas of complex product liability, pharmaceutical, consumer protection, and other significant class action and mass tort actions. Hunter has been appointed to leadership roles in numerous nationwide pharmaceutical, product liability, and consumer protection litigation. Some examples include: Plaintiffs' Executive Committee in the *In Re National Opiate Prescription Litigation* (MDL No. 2804); Plaintiffs' Executive Committee in the *In Re: Invokana (Canagliflozin) Products Liability Litigation* (MDL No. 2750); Plaintiffs' Executive Committee in the *Johnson & Johnson Talcum Powder Products Marketing, Sales Practices and Products Liability Litigation*; Appointed by U. S. District Judge Charles Brieant to serve as a Member of the Plaintiff's Steering Committee for *In re: PepsiCo, Inc., Bottled Water Marketing and Sales Practices Litigation*, MDL 08-1903 (United States District Court, Southern District of New York); Co-Lead Counsel for *In re: NuvaRing Products Liability Litigation*, MDL 1964 (MOED).

Paul J. Napoli, Of Counsel, Napoli Shkolnik – New York
Licensed to practice in New York (1993) and Illinois (2012)

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Paul J. Napoli is a founding partner of Napoli Shkolnik's predecessor firm, Napoli Bern Ripka Shkolnik. He has achieved a reputation as one of the most successful civil litigation attorneys in the Country, achieving hundreds of verdicts and settlements valued over \$1 million. Some examples of Paul's past successes include:

- 1) *In Re: Opioid Litigation*: Paul Napoli has been appointed co-lead of In re Opioid Litigation, in New York State court. All of the counties which have filed lawsuits in New York against the opioid manufacturers and distributors have been coordinated, much like an MDL, in one county;
- 2) *In Re: World Trade Center Disaster Site Litigation*, 21 MC 100 (AKH), United States District Court, Southern District of New York. Appointed Plaintiffs' Liaison Counsel. Paul negotiated a historic settlement of more than ten thousand workers' claims against the City of New York, its contractors and other defendants in the mass tort litigation where first responders, construction workers and laborers became ill as a result of toxic exposures suffered during the debris removal and clean up operations at the World Trade Center and related sites following the September 11, 2001 attacks.

6. Litigation approach and process

Our team will continue to advise your County regarding the present action against both the manufacturers and major distributors of Opioid pain medications. The manufacturer defendants include Purdue Pharmaceuticals, Teva Pharmaceuticals, Janssen Pharmaceuticals, Endo Pharmaceuticals, and Allergan Pharmaceuticals, as well as several of their parent companies and subsidiaries. The wholesale distributor defendants include the three largest distributors of opioid pain medications, McKesson. We would defer to your County as to the sequencing, timing, investigation status and potential liability of these defendants in order to advise on appropriate options. As Napoli Shkolnik had already prosecuted opioid cases across the country, our team hit the ground running.

Information Gathering Process

Recovery in this case will focus on abatement but further investigation and focused discovery may be necessary in order to establish the number of violations of state law committed by the prospective defendants, but sources of proof may include, among other things: (1) call notes produced by the defendants; (2) Dear Doctor letters sent to County physicians; (3) marketing materials including product samples and packaging utilized with physicians, Medicare and Medicaid personnel and/or other consumers; (4) social media "hits" and visits by County residents to websites or advertisements of defendants promoting opioid pain medications; (5) the use of front groups and their

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websites. It should be noted that a significant portion of these materials were distributed nationwide (including your County) and, as a result, Napoli Shkolnik has already obtained the majority of this evidence.

It is our intention that the process by which specific County information will be gathered and obtained from your departments will be with minimal intrusion to your County operations so as to not further burden your budgets. Our team may need access to a few key individuals who can direct our team to the information and answer any necessary questions we may have as to your policies and procedures, so we may develop the most effective damages model if those damages are ever at issue beyond abatement.

Some of the defendants we have been bringing litigations against include:

Opioid Manufacturers:

- 1) Purdue Pharma L.P./ Purdue Pharma Inc./ The Purdue Frederick Company, Inc.
- 2) Teva Pharmaceuticals USA, Inc./Cephalon, Inc.
- 3) Johnson & Johnson/Janssen Pharmaceuticals, Inc./Ortho-McNeil-Janssen Pharmaceuticals, Inc. nka Janssen Pharmaceuticals, Inc.
- 4) Endo Pharmaceuticals, Inc.
- 5) Allergan PLC fka Actavis PLC/ Actavis, Inc. fka Watson Pharmaceuticals, Inc./Watson Laboratories, Inc.
- 6) Insys Therapeutics, Inc.
- 7) Mallinckrodt

Opioid Wholesale Distributors:

- 1) McKesson Corporation
- 2) Cardinal Health, Inc.
- 3) Amerisource Bergen Corporation

Some of the causes of action we have brought in the filed opioid complaints are as follows:

- 1) Public Nuisance;
- 2) Claims under (Hawaii's) Deceptive and Unfair Trade Practices Laws;
- 3) Fraud;
- 4) Negligence;
- 5) Monopolization;
- 6) Unjust Enrichment;
- 7) Negligent marketing.

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Theory of liability

The claims against the manufacturers of opioid pain medications include claims of deceptive business practices, false advertising, public nuisance, violations of social services/Medicaid law, fraud, and unjust enrichment. The claims involve the deceptive practices of the manufacturer defendants in using both branded and unbranded marketing to reach prescribers and patients. Unbranded marketing through the use of front groups such as the American Pain Foundation, attempted to evade FDA regulations and consumer practices law. The overarching theme of the manufacturing defendants' deception is that opioid pain medications were not addictive and were safe for long term use. Defendants knew that opioids were effective treatments for short-term post-surgical and trauma-related pain, and for palliative (end-of-life) care. Yet they also knew—and had known for years—that opioids were addictive and subject to abuse, particularly when used long-term for chronic non-cancer pain (pain lasting three months or longer), and should there not be used except as a last-resort.

Defendants spent hundreds of millions of dollars: (a) developing and disseminating seemingly truthful scientific and educational materials and advertising that misrepresented the risks, benefits, and superiority of opioids long-term use to treat chronic pain (b) deploying sales representatives who visited doctors and other prescribers and delivered misleading messages about the use of opioids (c) recruiting prescribing physicians as paid speakers as a means to secure those physicians' future "brand loyalty" and extend their reach to all physicians; (d) funding, assisting, encouraging, and directing certain doctors, known as "key opinion leaders", not only to deliver scripted talks, but also to draft misleading studies, present continuing medical education programs that were deceptive and lacked balance, and serve on the boards and committees of professional societies and patient advocacy groups that delivered messages and developed guidelines supporting chronic opioid therapy; and (e) funding, assisting, directing, and encouraging seemingly neutral and credible professional societies and patient advocacy groups ("Front Groups") that developed educational materials and treatment guidelines that were then distributed by Defendants, which urged doctors to prescribe, and patients to use, opioids long-term to treat chronic pain.

We are also bringing negligence claims against wholesale distributors of these opioids. Under both federal and state law, wholesale distributors have a duty to report suspicious or alarming orders of opioid pharmaceuticals and to report these orders. The evidence shows that these defendants failed to meet this duty despite overwhelming evidence that these drugs were being abused, diverted, and misused based on the alarming size of the orders. These distributors such as McKesson, Cardinal Health, and AmerisourceBergen have paid hundreds of millions of dollars in fines to date for their inaction.

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Theory of damages

We seek to achieve financial recovery for Hawaii County to abate areas associated with this epidemic, including substance abuse programs, insurance/Medicaid, lost productivity, foster care costs, Narcan training and supplying, and increased law enforcement. It is our hope that these lawsuits will help the municipalities receive funding to help in the fight against this epidemic.

The below is an initial list of costs and expenses that the County may have spent to deal with the opioid epidemic allegedly caused by the manufacturers and distributors of opioids. These costs can be directly linked to departments within the County. Napoli Shkolnik PLLC and the Hawaii Accident Law Center would work closely with the County and our experts in all aspects of the collection of information and assist our clients in the collection of documents and data if needed.

- Law enforcement
 - Employee overtime
 - Narcan purchase and training
 - Establishment of task forces
 - Increase in investigation/crime increase
 - Specialized courts: juvenile, surrogate, drug,
 - Public defender offices/prosecution
 - Jail/prison costs
 - Probation
 - Victim/family
 - Human trafficking
 - Adult detention
 - Neighborhood safety
- Labor Costs
 - Loss of productivity
 - Decrease in labor participation
 - Increased sick time
 - Frequent firings
 - Workers compensation
- Coroner/medical examiner
 - Storage of bodies
- Healthcare and first responders
 - Public hospitals:
 - Public health
 - Medicaid/Medicare
 - Substance abuse programs
 - Drug education programs
 - Drug prevention programs
 - Treatment centers/rehab
 - Mental health facilities
 - Veterans affairs
 - Fire
 - EMT/ambulance
 - Social services
- “Loss” in various forms
 - Travel and tourism
 - Premature death
 - Decrease in labor
 - Crime increase
 - Quality of life
 - Price gauging
 - Government assistance
 - Census
 - Public safety
- Foster care
 - Family and child services

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- Increased staffing
- Indigent burials
- Cemetery
- Toxicology laboratory costs
- Increased staffing
- Increase in need for care
- Child support
- Environmental effects
 - Water pollution
 - Infrastructure damage

7. Costs and fees

The team of Napoli Shkolnik PLLC and the Hawaii Accident Law Center continue to honor the Special Counsel Contract dated May 4, 2019 that has been executed and remains valid. The agreement is contingency based with a twenty five (25%) percent attorneys fee. Napoli Shkolnik PLLC and the Hawaii Accident Law Center will remain responsible for all costs and expenses related to this litigation and will not require any payments directly from the County, other than as set forth in the Special Counsel Contract agreement in the event that the litigation is successful. If there is no recovery for the County, the County will not be responsible for any payment to Napoli Shkolnik PLLC and the Hawaii Accident Law Center, including reimbursement of any costs or expenses incurred by Napoli Shkolnik PLLC and the Hawaii Accident Law Center.

Our team understands the necessity to contain costs and to maximize benefits when we incur costs associated with the representation of our clients. Further, we understand the risks associated with “Fee Shifting and Cost Judgment Risks” associated with the Opioid litigation. We have insurance to cover all such contingencies thereby protecting both the firm and the County for any cost shifting exposure.

The majority of the reimbursable costs that will be associated with this litigation will be costs related to common benefit work, deposition services, expert retention and document review. Many of the depositions taken and experts retained will pertain to the litigation as a whole, thus will be for the benefit of every client, not just Hawaii County. This means that most of the costs will be split between however many clients we represent in this litigation. Consequently, the costs for our clients will be significantly lower compared to those represented by firms with less clients involved in this litigation. In addition, we maintain our own ESI software and document review platforms which are internal to our office. The costs associated with document review will thus be minimal, while other firms usually employ third party vendors whose costs can reach into the millions.

As we do for all of our clients, we would keep Hawaii County updated regularly on the status of the litigation.

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8. Commitment to diversity and inclusion

The Hawaii Accident Law Center and Napoli Shkolnik, PLLC and partners are committed to diversity, equity and inclusion at all levels and in every action. The Hawaii Accident Law Center is a one hundred percent (100%) minority owned law firm.

Napoli Shkolnik is unique for a large national mass tort firm in that we are majority woman owned. Marie Napoli is the majority owner of Napoli Shkolnik.. In addition to the partnership ranks 52.4% of our total staff are women and 28.7% of our total staff are minority employees.

9. Conflict statement

The firms Napoli Shkolnik PLLC and Hawaii Accident Law Center do not have any cases that involve the Opioid litigation that would pose a conflict to the continued representation of Hawaii County. Our firm identifies conflicts of interest prior to undertaking new representations via our database system which tracks all plaintiffs and defendants in our cases. Prior to pursuing any case, our firm confirms that there are no conflicts based off of our weekly reports. This information is maintained by the attorneys and support staff with daily updates as changes occur. Although there is no written policy, this conflict check is performed regularly and flagged within our intake department so that our firm can swiftly reject or refer out those cases to minimize attorney and firm exposure to conflict.

10. Firm capabilities and resources

The firms have the significant resources required to handle the voluminous motion practice and discovery demands which will be required in litigation such as this. We have significant experience in litigating mass tort and class action matters which normally require the receipt, organization, and analysis of millions of documents. We have a database system which electronically organizes all motion papers and discovery received. We have the document review technology required to sort through millions of pages of documents.

We have already considered, identified and begun working with multiple experts whom we believe will be instrumental to the County's case against the prospective defendants. These include medical and pharmaceutical experts in the field of addiction, pharmaceutical regulation, pain management, anesthesiology, and economists. We have also contacted physician(s) who formerly received payment from these companies to push their misleading statements which they now admit were misleading and are seeking to assist our clients in this litigation.

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With the combined strength, national and local presence and familiarity with the state and federal courts in Hawaii, and depth of experience and knowledge litigating and trying both mass tort, pharmaceutical and consumer protection cases, including other ongoing opioid litigation, the team of Napoli Shkolnik and the Hawaii Accident Law Center is easily able to muster sufficient resources to fully engage with the defendants and to respond to any attempts by the defendants to engage in voluminous motion and discovery practice. These firms have done exactly that with success in many drug and pharmaceutical cases in the past, and some are doing that specifically with respect to the opioid litigation nationwide.

Napoli Shkolnik PLLC has already demonstrated through their national leadership roles in numerous mass tort and class action cases, and in other drug and device cases, that they have both the financial resources and the legal, human, intellectual, and technological resources to successfully pursue and obtain substantial results against the prospective defendants. The firm is able and prepared, as necessary, to advance and invest millions of dollars in time and out-of-pocket expenses, with the firms' recovery contingent upon a successful outcome, in the pursuit of the County's claims.

11. Insurance Statement

Napoli Shkolnik, PLLC and partners maintain professional liability insurance with limits of \$5,000,000 (Five Million), along with general insurance, worker's compensation, and disability insurance.

Hawaii Accident Law Center maintains professional liability insurance of limits of \$2,000,000 (two million), along with general insurance, worker's compensation, and disability insurance.

Conclusion

We are optimistic and enthusiastic with the continued representation of Hawaii County for opioid litigation. Please do not hesitate to contact me with any questions or concerns.

Very truly yours,

Hawaii Accident Law Center

/s/ John Choi

John Choi
Principal

Napoli Shkolnik, PLLC

/s/ Hunter Shkolnik

Hunter J. Shkolnik
Senior Partner

Encls.: Resumes of John Choi, Hunter Shkolnik, Paul Napoli
cc: Kaena Horowitz, Deputy Corp. Counsel, County of Hawaii

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Biography

HUNTER J. SHKOLNIK

Partner

Email hunter@nsprlaw.com

Phone (787) 493-5088

Fax (646) 843-7607



Admitted

New York

New Jersey

United States Supreme Court

United States District Court, Eastern District of New York

United States District Court, Southern District of New York

United States District Court, District of New Jersey

Education

Yeshiva University Benjamin N. Cardozo School of Law, J.D.

University of Massachusetts, B.A., cum laude

Overview

Hunter J. Shkolnik is an esteemed and dedicated attorney who focuses on the trials of significant personal injury cases, primarily in the area of drug, automobile, aviation-related, and heavy truck product liability litigation.

He leads the discovery and trial teams of various mass tort pharmaceutical and medical device litigations for the Napoli Shkolnik PLLC law firm. He is also active in managing national litigation and plaintiff litigation groups and was recently named to Law360's 2021 Product Liability Advisory Board.

He is currently serving as a chairman, leader, or court-appointed representative on Plaintiff Steering Committees in various drug and other mass torts. Additionally, Mr. Shkolnik has also held officer positions in the New York State Trial Lawyers, Nassau County Bar Association and Committee Chair positions in ATLA Health Care Finance Litigation Group, Orthopedic Implant Litigation Group, AAJ Breast Cancer Litigation Group, Co-Chair AAJ Heart Device Litigation Group, and the Chair of the Medtronic ICD and CRTD Litigation Sub Group.

Mr. Shkolnik has also lectured and organized seminars on issues involving Guidant, Medtronic, and St. Jude pacemakers; ICD and lead wire recall science and litigation; cardiac device product liability litigation; class action topics such as Ethics of Mass Tort Settlements, Lone Pine, State Federal Coordination and Preemption; and has — on multiple occasions — lectured on the science related to various pharmaceuticals.

Professional Affiliations

- American Association of Justice (AAJ), PFC Water Contamination Group, Co-Chair
 - American Association of Justice (AAJ), The Actos Bladder Cancer Litigation Group, Co-Chair
 - American Association of Justice (AAJ), Past Vice-Chairman, Healthcare Finance Litigation Group
 - American Association of Justice (AAJ) Health Orthopedic Implant Litigation Group, Past Vice-Chairman, Science Committee Director
 - American Association of Justice (AAJ), Past Chairman, Health Breast Cancer Litigation Group
 - American Association of Justice (AAJ), Co-Chair, Health Heart Device Litigation Group
 - Law360's 2020 Editorial Advisory Boards: Trials
 - [Law360's 2021 Product Liability Advisory Board](#)
 - Long Island Affiliate of the NYSTLA, Past President
 - Nassau County Bar Association, Past Vice-Chairman, Medical Legal Committee
 - New York State Trial Lawyers (NYSTLA), Board of Directors; Past Secretary, Assistant Treasurer and Treasurer
 - Suffolk County Bar Association
 - Trial Lawyers of Puerto Rico (Vice President)
-

Court Appointments

- Plaintiffs' Executive Committee in *In Re: National Prescription Opiate Litigation*, MDL 2804 by United States District Court Judge Dan Aaron Polster of the Northern District of Ohio
- Co-Liaison Counsel in the *Flint Water Crisis Litigation* by United States District Judge Judith E. Levy of the U.S. District Court for the Eastern District of Michigan
- Plaintiffs' Executive Committee in *In Re: Invokana (Canagliflozin) Products Liability Litigation*, MDL 2750
- Plaintiffs' Executive Committee in the *Johnson & Johnson Talcum Powder Products Marketing, Sales Practices and Products Liability Litigation*, MDL 2738 (Honorable Freda L. Wolfson)
- Plaintiffs' Steering Committee in *In Re: Taxotere (Docetaxel) Products Liability Litigation*, MDL 274 (Honorable Kurt D. Engelhardt)
- Plaintiffs' Steering Committee in *In Re: Toyota Motor Corp. Unintended Acceleration Marketing, Sales Practices, and Products Liability Litigation*, MDL 2151 (Honorable James V. Selna)
- Actos Product Liability Steering Committee, American Association of Justice's Actos Litigation Group
- Plaintiffs' Steering Committee in *In Re: Medtronic Inc.*, MDL 1726 (Honorable James M. Rosenbaum) (retired)
- Co-Lead Counsel in *In Re: Fleet Oral Sodium Phosphate Solutions Litigation*, MDL 2066 (NDOH) (Honorable Dan A. Polster)
- Plaintiffs' Steering Committee & National Settlement Counsel in *In Re: Nuvaring Products Liability Litigation*, MDL 1964 (MOED) (Honorable Rodney W. Sippel)
- Co-Liaison Counsel & Member of the Plaintiffs' Steering Committee, *New Jersey Nuvaring Products Liability Consolidated Mass Tort Litigation* (Honorable Brian R. Martinotti)
- Plaintiffs' Steering Committee in *In Re: Medtronic, Inc., Sprint Fidelis Leads Product Liability Litigation*, MDL 1905 (Dist. Minn.); (Honorable Richard H. Kyle)
- Plaintiffs' Steering Committee in *In Re: Medtronic Inc.*, MDL 1729 (Honorable James M. Rosenbaum) (retired)
- Plaintiffs' Steering Committee, *New Jersey Metoclopramide (Reglan) Product Liability Consolidated Mass Tort Litigation* (Honorable Carol Higbee)
- Plaintiffs' Steering Committee Member- Co-Lead Trial Team, Strategic Planning, Expert and Discovery Subcommittee, *In Re: Guidant Corp. Implantable Defibrillators Products Liability Litigation*, MDL 1708 (Honorable Donovan Frank)



- Plaintiffs' Steering Committee, *New York State Consolidated Bextra/ Celebrex Litigation*
- Plaintiffs' Steering Committee and Lead Counsel; Trial, Expert, Discovery Sub Committees and Co-Lead Trial Team, *In Re: New York Sulzer Inter Op Hip and Knee Implant Litigation* (Justice Helen Freedman) (retired)
- State Federal Liaison Counsel, *In Re: Bausch & Lomb, Inc., Contact Lens Solution Product Liability Litigation*, MDL 1785 (Honorable David C. Norton)
- Plaintiffs' Steering Committee & Lead trial attorney for the first scheduled bellwether trials; State Federal Liaison Counsel, *In Re: New York Consolidated Bausch & Lomb Contact Lens Solution Litigation* (Justice Helen Freedman) (retired)
- Discovery Co-Chair, *New Jersey Levaquin Mass Tort Litigation*
- Plaintiffs' Steering Committee in *In Re: PepsiCo. Inc., Bottled Water Marketing and Sales Practices Litigation*, MDL 1903 (Honorable Cathy Seibel)
- Liaison Counsel, *In Re: Zimmer NexGen Knee Implant Products Liability Litigation*, MDL 2272 (N.D.Ill) (Honorable Rebecca R. Pallmeyer)
- Plaintiffs' Steering Committee, *In Re: DePuy Orthopaedics. Inc., Pinnacle Hip Implant Products Liability Litigation*, MDL 2244 (Honorable James Edgar Kinkeade)
- Plaintiffs' Liaison Committee for Personal Injury and Wrongful Death, *In Re: Pom Wonderful Sales and Marketing Practices Litigation*, MDL 2199 (Honorable Dean D. Pregerson)
- Co-Lead Counsel, *In Re: Kaba Simplex Push Button Lock Sales and Marketing Litigation*, MDL 2220; (EDOH); (Honorable Donald C. Nugent)
- Co-Lead and Co-Liaison Counsel in the *In Re: Eliquis (Apixaban) Product Liability Litigation*, Honorable Judge Denise L. Cote for the Southern District of New York
- National Settlement Counsel in the *In Re: Pradaxa (Dabigatran Etexilate) Products Liability Litigation*, MDL 2385, United States District Judge David R. Herndon for the Southern District of Illinois
- Co-Lead Class Counsel in the *In Re: Daily Fantasy Sports Marketing And Sales Practices Litigation*, MDL 2677 (George A. O'Toole, Jr.)
- Plaintiffs' Steering Committee and Lead Counsel, *In Re: New York Diet Drug/Fen Phen Litigation*; (Justice Helen Freedman) (retired)
- Co-Lead Counsel, *In Re: Bayer Healthcare LLC and Merial Limited Flea Control Marketing and Sales Practices Litigation*, MDL 2319 (Nd. Ill) (Honorable Dan A. Polster)
- Co-Lead Counsel, *In Re: Incretin Mimetics Product Liability Litigation*, MDL 1331 (Honorable Maurice M. Paul)
- Lead Class Counsel, *Hernandez-Ortiz, et al. v. 2 Gold, L.L.C., et al., Supreme Court of the State of New York*, Index No. 158155/2012; (Honorable Ellen M. Coin)
- Lead Class Counsel, *Roberts, et al. v. Ocean Prime, LLC, et al., Supreme Court of the State of New York*, Index. No. 150612/2013; (Honorable Manuel J. Mendez)
- Plaintiffs' Steering Committee, *In Re: American Medical Systems, Inc., Pelvic Repair Systems Products Liability Litigation*, MDL 2325 Judge Joseph Goodwin for the Southern District of West Virginia
- Lead Class Counsel, *Sterling, et al. v. Stratfor Enterprises, LLC, et al., Eastern District of New York 2:12-cv-00297* (Honorable Judge Denis R. Hurley)



Media Experiences (2020/2021)

[Complete List](#)

- [McKinsey, opioid plaintiffs spar over MDL venue](#), Reuters (May 27, 2021)
- [Allergan loses bid to escape New York Opioid trial](#), Reuters (May 25, 2021)
- [Walmart Punished In Opioid MDL For Discovery Defiance](#), Law 360 (April 19, 2021)
- [Pandemic-Delayed Trials Over Drugmakers' Marketing of Opioids to Begin](#), Insurance Journal (April 19, 2021)

- [More suits to target opioid strategist](#), Northwest Arkansas Democrat Gazette (April 18, 2021)
- [Drug Companies to Face First Opioid Trial Following Pandemic Delays](#), Reuters | SABC News (April 17, 2021)
- [Drug companies to face first opioid trial following pandemic delays](#), Thomson Reuters | KFGO 790 (April 16, 2021)
- [Law360's 2021 Product Liability Advisory Board](#), Law360 (April 13, 2021)
- [New Opioid Lawsuits Target McKinsey for Its Role as Consultant to Drug Companies](#), Law.com | New York Law Journal (March 31, 2021)
- [McKinsey To Pay Nevada \\$45M To End Opioid Marketing Case](#), Law360 (March 22, 2021)
- [After opioid settlement with state, McKinsey socked with new class action lawsuit filed by local Florida government](#), The Capitolist (March 18, 2021)
- [Unhappy AGs Have Options In Latest Purdue Ch. 11 Plan](#), Law360 (March 16, 2020)
- [McKinsey Opioid Deal With NY AG Approved Amid Objections](#), Law360 (March 16, 2020)
- [NY AG Opioid Trial Now Set For June Amid Virus Concerns](#), Law360 (March 8, 2021)
- [McKinsey Seeks New MDL As Opioid Headaches Worsen](#), Law360 (March 8, 2021)
- [Roundup Claimants Slam 'Frankenstein-ian' \\$2B Bayer Deal](#), Law360 (March 5, 2021)
- [DraftKings to Pay \\$8 Million to Settle Consolidated Class Claims](#), Bloomberg Law (March 4, 2021)
- [NY Opioid Trial Defendants Want New COVID-19 Delay](#), Law360 (March 3, 2021)
- [DraftKings Settles MD For \\$720K Plus \\$7M In Site Credit](#), Law360 (March 3, 2021)
- [Judges Blast Atty For Flint Client Solicitation Efforts](#), Law360 (February 18, 2021)
- [Why A Judge Put The Breaks On Flint Atty's Opt-Out Mailings](#), Law360 Pulse (February 12, 2021)
- [Judge Blocks 'Improper' Communications In Flint Lead Case](#), Law360 (February 8, 2021)
- [NY to Push Back On Efforts To Split Landmark Opioid Trial](#), Law360 (January 7, 2021)
- [Product Liability Cases To Watch in 2021: Opioid Bellwether Trials To Start](#), Law360 (January 3, 2021)
- [Former Purdue Pharma Members Agree to Testify Before House Panel](#), One America News Network (December 15, 2020)
- [Another Opioid Bellwether Delayed For COVID-19](#), Law360 (December 7, 2020)
- [Purdue Guilty Plea 'Cuts Head Off' Opioid Serpent](#), Posted RepublicWorld.com Written By Associated Press Television News (November 26, 2020)
- [Landmark Flint water crisis settlement grows to \\$641.2M as it moves to court](#), The Detroit News (November 18, 2020)
- [Settlement of Flint water crisis lawsuits takes significant step](#), Michigan Radio NPR (November 17, 2020)
- [FDA, DEA Experts Cleared To Testify In NY Ag's Opioid Case](#), Law360 (November 13, 2020)
- [CVS, Rite Aid Say Doctors Also Liable For Prescribing Opioids](#), Law360 (November 10, 2020)
- [NY AG's Opioid Epidemic Jury Trial Set For Early 2021](#), Law360 (October 28, 2020)
- [Walmart Opioid Lawsuit a Long Shot to Thwart Federal Enforcement](#), Bloomberg Law (October 23, 2020)
- [Where to Send the Elmiron Cases: New Jersey or Pennsylvania?](#), New Jersey Law Journal (October 15, 2020)
- [J&J Strikes \\$5B Del Pushing 3,000 Opioid Suits Toward End](#), Law360 (October 13, 2020)
- [Mallinckrodt Files Bankruptcy to Settle Pile of Opioid Suits](#), Yahoo! Finance (October 12, 2020)
- [Life Sentence Verdict in Joel Guy, Jr. Murder Trial](#), Law and Crime Network (October 2, 2020)
- [Guy, Jr. Stands Accused of Brutal Murders of Parents](#), Law and Crime Network (October 2, 2020)
- [Alleged "Kill Book" Outlined Murder Plot and Possible Motive](#), Law and Crime Network (October 2, 2020)
- [Murders Took Place During Defendant's Thanksgiving Visit](#), Law and Crime Network (October 2, 2020)
- [Lost Leverage Complicates Opioid Deal Talks for Cities, Counties](#), BloombergLaw (September 30, 2020)
- [NJ's the Place For Eye Damage MDL, Patients Say](#), Law360 (September 25, 2020)
- [Pharmacies Lose Bid To Revisit Ruling On their Opioid Duties](#), Law360 (September 22, 2020)
- [Ohio Counties Blast Pharmacies' Review Bid In Opioid MDL](#), Law360 (September 8, 2020)
- [NJ Making False 9-1-1 Calls and Police Reports Based On Race A Crime](#), Fox 5 (September 3, 2020)
- Law and Crime Network
 - [Boyfriend of Breonna Taylor Sues State/City Officials](#)
 - [NJ Teen Fined for Protest: ACLU New Jersey: Bill Was "Clearly Unconstitutional"](#)
 - [Transwoman Layleen Polanco Suffers Seizure and Dies While In Solitary Confinement](#)

- [Adult film Star Ron Jeremy Charged, 17 Victims have Come Forward](#)
 - [Defendants Allegedly Used “We Build The Wall” Donations for Personal Benefit](#)
- [Allergan, Teva Accused of Hiding ‘Critical’ Opioid Info](#), Law360 (September 1, 2020)
- [Judge Assesses Evidence, Testimony in NY Opioid Pretrial Hearing](#), LegalReader (August 27, 2020)
- [Pharmacies Torch ‘Unprecedented’ Ruling On Opioid Duties](#), Law360 (August 26, 2020)
- [State of Michigan Proposes \\$600 Million Settlement For Flint Water Crisis](#), Newburgh Gazette (August 22, 2020)
- [State to settle Flint water crisis claims with residents for \\$600 million](#), Crain’s Detroit Business (August 20, 2020)
- [After 18 Months of Wrangling, Michigan Officials Agree to Pay More Than \\$600M to Settle Flint Water Crisis Litigation](#), Law.com (August 20, 2020)
- [New York’s opioid case: No improper prescriptions, no misled docs, big damages](#), Legal NewsLine (August 17, 2020)
- [Virus Vaccine Rush Leaves Little Recourse for Anyone It Harms](#), Bloomberg Law (August 14, 2020)
- [Virus Vaccine Rush Leaves Little Recourse for Anyone It Harms](#), Stars And Stripes (August 14, 2020)
- [Virus Vaccine Rush Leaves Little Recourse for Anyone It Harms](#), mySanAntonio (August 14, 2020)
- [Ex-FDA Head Says He Didn’t Ask NY Docs About Opioid RX’s](#), Law360 (August 14, 2020)
- [Entire Opioid Supply Chain Faces First Test in NewYork Case \(1\)](#), Bloomberg Law (August 13, 2020)
- [Pharmacies Can’t Doge Ohio Opioid MDL’s 2021 Bellwether](#), Law360 (August 6, 2020)
- [Group to Revise Deal For Future Claims In Monsanto MDL](#), Law360 (July 8, 2020)
- [Lawyers Withdraw, Aiming to Revise, \\$1.1 Billion Class Settlement Over Roundup](#), Law.com | TheRecorder (July 8, 2020)
- Bayer to Alter Plan for Handling Future Roundup Cancer Suits, As Reported By
 - Bloomberg (July 8, 2020)
 - The Detroit News (July 8, 2020)
- [Judge ‘Skeptical’ Of Settlement For Future Roundup Claims](#), Law360 (July 7, 2020)
- [Pharmacies Can’t Slip Opioid Nuisance Claims, Counties Say](#), Law360 (July 6, 2020)
- [Pharmacies Want Out of Opioid MDL ‘Public Nuisance’ Suit](#), Law360 (June 17, 2020)
- City of Grande Prairie files proposed \$10B class-action lawsuit against opioid companies
 - As covered by CBS News Canada (June 3, 2020), Everything Grand Prairie (June 3, 2020), Daily Herald Tribune (June 4, 2020)
- [2nd Circuit Allows Personal Injury, Property Damage Claims Against Honeywell, Saint-Gobain](#), Law.com | New York Law Journal (May 18, 2020)
- [Medical Monitoring Faire Game For PI Claims, 2nd Circ. Says](#), Law360 (May 18, 2020)
- [County says Mallinckrodt Shouldn’t Get Separate Opioid Trial](#), Law360 (April 30, 2020)
- [New Pharmacy Bellwether Trial Set For 2021 in Opioid MDL](#), Law360 (April 30, 2020)
- [Enough Already with Opioid Bellwethers, Pharmacies Say](#), Law360 (April 28, 2020)
- [Opioid Funds Should Be Used For Mental Health, Judge Told](#), Law360 (April 22, 2020)
- [Opioid MDL Needs New Pharmacy Bellwether, Judge Says](#), Law360 (April 17, 2020)
- [Purdue Says Ch. 11 Stay Can’t Be Lifted For NY Opioid Trial](#), Law360 (April 16, 2020)
- [6th Circ. Limits Opioid Claims Against Pharmacies](#), Law360 (April 15, 2020)
- [Some Public Nuisance Claims Cut In NY Opioid Suit](#), Law360 (April 10, 2020)
- [Pharmacies’ Doctor Claims Dropped From Ohio Opioid MDL](#), Law360 (April 1, 2020)
- [Drugmakers Poised to Profit Off of Opioid Settlement Strategy](#), Bloomberg Law (March 31, 2020)
- [NY County Fights Mallinckrodt Bid For Separate Opioid Trial](#), Law360 (March 17, 2020)
- [NY County Says Meyer Suozzi Betrayed It In Opioid Case](#), Law360 (March 16, 2020)
- [New York Court Refuses To Delay March Opioid Trial](#), Law360 (March 4, 2020)
- [Mich. Judge Adds Residents To Flint Lead Water Case](#), Law360 (March 4, 2020)
- [Opioid Judge Rips Pharmacies ‘Ironic’ Push to Halt Discovery](#), Law360 (February 26, 2020)
- [Drugmaker’s Opioid Settlement Offer Gains Ground with States](#), ClaimsJournal (February 26, 2020)
- [A \\$50 Billion Opioid Deal Gets Backing From 7 More States](#), Bloomberg Law News (February 26, 2020)
- [37 AGs Assail Plaintiffs’ Atty Fee Bid In Opioid MDL](#), Law360 (February 24, 2020)
- [Pharmacies Must Give Patient Ages in Opioid MDL Discovery](#), Law360 (February 13, 2020)

- [Opioid MDL Special Master Sets Data Production Guidelines](#), Law360 (January 27, 2020)
 - [Pharmacies Can't Escape Public Nuisance in Opioid MDL](#), Law360 (January 27, 2020) [6th Circ. Is Told Opioid MDL Judge Flouting Court Rules](#), Law360 (January 17, 2020)
 - ['Opioid Babies' Seek Class Cert. In MDL](#), Law360 (January 7, 2020)
 - [CVS, Walmart Look To Shift Blame To Doctors in Opioid MDL](#), Law360 (January 7, 2020)
-

Publications

- [Lawyer Limelight: Hunter Shkolnik](#), Lawdragon (May 17, 2021)
 - [Elmiron Litigation: Emerging Torts](#), Mass Tort News (May 27, 2020)
 - [Law Firm of the Month: Napoli Shkolnik PLLC](#), Attorney at Law Magazine (October 31, 2019)
 - [Sikkelee: A Victory for Plaintiffs and its Implications for Aviation Product Liability Claims](#), American Association for Justice Aviation Law Newsletter, Winter 2017
 - [Danger in the Ring](#) by Marie Brenner, Vanity Fair, January 2014
 - Divided They Fall: Concepcion's Effect on Consumer and Employee Claims (Co-Author: Richard J. Arsenault, Esq.), NYSTLA, Vol. 1, 2012
 - [Anti-clotting Drug Pradaxa Linked to More than 500 Deaths](#), AVVO Legal Guide, February 8, 2013
-

Speaking Engagements

- Presenter, Mass Tort Webinar: Elmiron, CAMG January Webinar Series (January 21, 2021)
- Panelist, "Elmiron Eye Damage Litigation", HarrisMartin's Webinar Series (October 28, 2020)
- Featured Speaker, "Achieving Sustainable Law Firm Growth Through Digital Marketing", HarrisMartin's Webinar Series (October 1, 2020)
- Featured Speaker, "The Roundup Settlement Class – Are Futures Class Actions and Science Panels the Answer?", HarrisMartin's Webinar Series (July 28, 2020)
- Featured Speaker, "Masstort: COVID-19 and the Law:", Mass Tor News.live (June 30, 2020)
- Speaker, "What's Happening in the Litigation?", Perrin Conferences: The Opioid Litigation Conference (June 6, 2019)
- Featured Speaker, "[Elmiron: Legal Optics and Overview](#)", CAMG Webinar (May 13, 2020)
- Speaker, "How the Uptick in Opioid Litigation is Affecting the Industry: Key Takeaways from the MDLs", American Conference Institute (ACI) 2nd Annual Forum on Controlled Substances (February 5 – 7, 2019)
- Speaker, "Mass Tort Landscape: Part 2", HarrisMartin's MDL Conference: Current Mass Torts from E-Discovery Through Exit Strategies – Navigating "Game-Changing" Dynamics (November 28, 2018)
- Co-Chair, HarrisMartin's Water Contamination Litigation Conference, 2018

- Speaker, “Current Motions and Defenses, The JPML Petitions: One MDL or Two? / State Court Cases?”
- Speaker, “Product Liability”, Decision 2018: Recent Developments in Tort Law, New York State Trial Lawyers Association (NYSTLA)
- Speaker, “Opioids: Science, Medicine & Litigation”, HB Litigation Conferences presents Mass Tort Med School: Emerging medical & litigation issues for plaintiff attorneys (May 9 -11, 2018)
- Presenter, “Incretin drugs including Victoza, Byetta, Januvia and Janumet causing cancer and severe side effects”, CAMG Incretin Litigation Webinar (January 29, 2018)
- Speaker, “Opioid MDL Update”, HarrisMartin’s MDL Conference: Onglyza, Opioid & Sorin 3T Heater-Cooler System Litigation (January 24, 2018)
- Speaker, “Opioids – The Latest Information and Strategies”, Masters of Mass Tort Seminar (January 17-19, 2018)
- Faculty Member, “Opioid Crisis: Claims, Damages & Science”, HB Litigation Conferences
- Speaker, “Hot Topics in Mass Tort Litigation Seminar”, American Association for Justice Continuing Legal Education
- Faculty Member, “Litigating Public Health Epidemics”, Current Issues in Pharmaceutical, Medical Device and Biotech Litigation: American Bar Association Regional CLE
- Featured Panelist, “Who are the Governmental Action Plaintiffs and What are the Causation Theories?”, National Opioid Litigation Conference: HarrisMartin Publishing
- Faculty Member, “Public Nuisance: No Doubt, But Can We Prove It?”, Prepare to Fight the Opioid Crisis: American Association for Justice Leaders Forum
- Co-Chair, “The Impact of Daimler and BMS-Plavix”, HarrisMartin California Mass Tort and Class Action Litigation Conference
- Speaker, “Flint Water Crisis: Get in the Know about Lead Poisoning and How It’s Litigated”, Perrin Conferences
- Faculty Member, “Hot Topics and Trends in Litigation Seminar”, American Association for Justice
- Speaker, “Flint Water Crisis”, HarrisMartin’s MDL Conference: Pharmaceutical and Environmental Mass Tort Litigation
- Speaker, “Uber and the Sharing Economy: Law, Ethics and Policy”, Temple University Fox School of Business
- Speaker “ Pharmaceutical and Environmental Mass Tort Litigation”, HarrisMartin Conference
- Co-Chair, “Fantasy Sports, Volkswagen, Porsche and Pharmaceutical Litigation”, HarrisMartin Conference
- Speaker, “Volkswagen Diesel Fuel Emissions Fraud”, HarrisMartin Conference
- Speaker, “Mass Tort vs. Class Action: What it is and What it is Not.”, The American Association for Justice (AAJ)
- Speaker, “Diabetes Drugs (Actos, Januvia, Byetta” at Mass Tort Med School, A Boot Camp for Plaintiff Attorneys, HB Litigation Conferences
- Speaker, “Decisions 2013: Recent Developments in Tort Law”, NYSTLA Seminar Series
- Speaker, “Class Certification: Defining or Challenging Class Membership”, Strafford Webinars
- Speaker, “HarrisMartin’s Complex Litigation Conference”
- Speaker, “Mirena IUD, Tylenol, Granuflo, Byetta & Januvia”, HarrisMartin MDL Conference
- Speaker, “Plaintiff Pharmaceutical Litigation Forum 2013”, HB Litigation Conferences
- Speaker, Breast Cancer Litigation, ATLA Breast Cancer Litigation Group Educational Seminar
- Speaker, “Transvaginal Mesh and Actos Litigation Group”, Harris Martin MDL Conference
- Speaker, HarrisMartin’s MDL Conference: Xarelto & Power Morcellators
- Speaker, HarrisMartin’s Major Developments in Drug & Device Litigation
- HarrisMartin’s MDL and Complex Litigation Seminar
- Speaker, 11th Annual Class Action/Mass Tort Symposium presented by the LSBA, “Multi-district Litigation and the Parallel State Court Universe: A Practitioner’s Global Positioning Guide”



- Speaker, NYSTLA, “Product Liability Mass Tort & Class Actions: What every lawyer should know and understand”
 - Speaker, Pharmaceutical Litigation Forum, “Case Theories, Challenges and Case Selection Considerations for your Actos Inventory.”
-

Awards and Honors

- American Association for Justice – Leaders Forum
- The Best Lawyers in America: Mass Tort Litigation / Class Actions – Plaintiffs
- The Best Lawyers in America: Product Liability Litigation – Plaintiffs
- Litigation Counsel of America, Fellow
- Marquis Who’s Who®, 2018
- The National Trial Lawyers, Aviation Trial Lawyers – Top 10
- New York Super Lawyers®: 2006 – 2021

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Honolulu, Hawaii 96813

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Public Interest Cases

- 2021 Roadway design/public safety case – *Siu/Baik v. State of Hawaii*, caused the Department of Transportation to install nine traffic signs to a deadly hairpin curve (\$995,000.00)
- 2020 Roadway design/public safety case – *Siu/Baik v. State of Hawaii*, caused the Department of Transportation to install nine traffic signs to a deadly hairpin curve (\$650,000.00)
- 2018 - 2021
Hawaii County and Kauai County Opioid litigation – Association with Napoli Shkolnik, PLLC, a national leader in Opioid litigation in representing government entities throughout the U.S. (potentially millions)
- 2017 Federal Class Action involving the state and national child abuse registry, *Bird v. State of Hawaii*, co-counsel with Margery Bronster, Former Attorney General, to protect the civil rights of Hawaii residents (amount pending)
- 2016 Roadway design/public safety case - *Huynh v. State of Hawaii*, caused the Department of Transportation to install nine traffic signs to a deadly hairpin curve (\$900,000.00)
- 2015 Defective Seatbelt case - *Chung v. Ford Motor Company*, defective seatbelt design in Mustang convertible (\$2,500,000.00)
- 2003 Published Hawaii Supreme Court case *In re Doe*, 101 Hawai'i 220, 65 P.3d 167, as a deputy attorney general argued the separation of powers doctrine

Employment History

2005 to

Present Hawaii Accident Law Center – 13 years old, four employee average – \$12,000,000.00+ in recovery for clients

2004 Oliver Lau Lawhn Ogawa & Nakamura, Associate Trial Attorney

2001 State of Hawaii, Department of the Attorney General, Deputy Attorney General

Trial and Appellate Experience

Litigated over 20 bench trials, eight jury trials

Six Hawaii State Appellate cases, Two 9th Circuit Court of Appeals

Education

University of California, Irvine - BA Social Ecology minor Criminal Justice

Vermont Law School - Juris Doctorate, Master of Science in Environmental Law

Gerry Spence Trial Lawyer's College, Dubois, Wyoming

Capacity to complete work timely – association with Napoli Shkolnik, PLLC ensure personnel capacity to complete work timely with a team of over 40 lawyers and staff of more 40 persons.

Professional References

Retired Chief Justice of the Hawaii Supreme Court Ronald T.Y. Moon

Retired Judge Circuit Court Judge Rhonda Nishimura

Client references from the past 12 months

Mai Huynh – 808-627-5918, road design case in *Hunyh v. State*, see above.

Darryl Siu – 808-387-6901, road design case in *Siu/Baik v. State*, see above.

Professional/Law Related Community Involvement

Hawaii State Bar Association, Young Lawyers Division –
Past Board Member

National Asian Pacific American Bar Association, Hawaii Chapter –
Board Member

Hawaii Association for Justice - Board Member and Past Vice President

Christian Legal Society of Hawaii - Past President, Current Board Member

Asian Pacific American Law Student's Assn., Vermont Law School Chapter -
Founding Member and Past President

Department of the Attorney General - Former Deputy Attorney General -
attended over 2000 family court hearings and over 10 family court bench
trials representing the State of Hawaii, Department of Human Services

Non-Law related community based service

Hawaii Democratic Party - District Chairman, House of Representatives Dist. 19

Hawaii Democratic Party - Past Precinct President of District 19, Prec. 4

Beneficial Protective Order of the Elks - State Mediator

Hawaii Junior Chamber of Commerce - Past Chapter President

Hawaii AYSO - Soccer Coach

The Princeton Review - Teacher of the Year

University of California, Irvine - Order of Omega

Phi Delta Theta – Executive Officer



Biography

PAUL J. NAPOLI

Of Counsel

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Fax (646) 843-7607

Admitted

New York

Illinois

United States District Court, Eastern District of Michigan

United States District Court, Eastern District of Missouri

United States District Court for the District of Colorado

United States District Court, Southern District of Illinois

United States District Court, Northern District of Illinois

United States District Court, Eastern District of New York

United States District Court, Western District of New York

United States District Court, Southern District of New York

United States District Court, Northern District of New York

United States Court of Appeals for the Second Circuit

United States Court of Appeals for the Third Circuit

United States Supreme Court

Education

St. John's University of Law, J.D.

Fordham University, B.S.



Overview

Mr. Napoli brings more than 28 years of legal experience to his primary areas of practice, including governmental affairs, environmental law and mass tort litigation. He is widely recognized as one of the country's top litigators, having successfully led numerous high-profile cases such as the World Trade Center litigation, the Flint Water Crisis and claims brought on behalf of local cities and states involving the Opioid Epidemic.

Well-known for his ability to oversee large-scale complex cases involving large multi-billion corporations, Paul's wins run the gamut of issues from defective pharmaceutical drugs, such as the diet drug Phen-fen, to environmental contamination caused by ExxonMobil petroleum additive leaks.

He is annually selected to the invitation-only *Super Lawyers*® list and is recommended as a leading lawyer by *Best Lawyers in America*, *Lawyers of Distinction* and *Legal 500 US*.

Mr. Napoli serves on the Board of the National September 11 Memorial & Museum, was recently named to *Law360's 2020 Editorial Boards* in the Environmental Category and was chose as a recipient of *Law360's 2020 MVP Awards: Environmental*.

Court Appointments then Publications

- Plaintiffs' Co-Lead Counsel in *In Re: Aqueous Film-Forming Foams Products Liability Litigation* (MDL No. 2:18-mn-2873-RMG) by United States District Court Judge Richard Mark Gergel for the District of South Carolina, Charleston Division
 - Plaintiffs' Liaison Counsel in the *West Virginia Opioid Litigation* (Civil Action No. 17-C-248) by Honorable David W. Hummel, Jr. of the Second Judicial Circuit Court, Division 2 of Marshall County, West Virginia
 - Liaison Counsel in the *Colorado PFOA / PFOS Toxic Tort Litigation (Bell, et al. v. The 3M Company, et al., No. 1:16-cv-02351-RB)* by Honorable R. Brooke Jackson of the United States District Court for the District of Colorado.
 - Co-Lead Counsel in the *New York Opioid Cost Recovery Litigation* by Justice Jerry Garguilo of the Supreme Court of the State of New York for Suffolk County
 - Appointed by the Supreme Court of the State of New York as a Liaison Counsel for the New York State Consolidated Diet Drug Litigations *In re: Diet Drug (Phentermine, fenfluramine, dexfenfluramine) Products Liability Litigation*
 - Plaintiffs' Discovery Committee for *In Re: MTBE (Methyl Tertiary Butyl Ether) Products Liability Litigation* (MDL-1358), United States District Court for the Southern District of New York (Judge Shira Scheindlin) on Environmental Contamination of Municipal Water Supplies of MTBE by Petroleum Refiners and Retailers
 - New York Court Appointed Member of the Plaintiff's Steering Committee for *In Re Rezulin Products Liability Litigation* (removed from the US market 3/21/2000)
 - Plaintiff's Co-Liaison Counsel for *In Re: World Trade Center Disaster Site Litigation, 21 MC 100* (AKH) settled in the U.S. District Court for the Southern District of New York by Judge Alvin K. Hellerstein
-

Media Experiences (2020/2021)

[Complete List](#)

- Nick Minaj says her father's death in a hit-and-run accident was 'the most devastating loss' of her life, *insider.com* (May 15, 2021)

- 'Rest In Paradise' Nicki Minaj breaks her silence after father Robert was killed in a hit-and-run crash calling it a 'devastating loss', thesun.ie (May 15, 2021)
- Nicki Minaj breaks silence on father's death, revolt.tv (May 14, 2021)
- Nicki Minaj keeps a low profile with husband Kenneth Petty as they grab dinner in Malibu, dailymail.co.uk (April 9, 2021)
- Nicki Minaj: \$150 Million For Her Father's Death – Inspired Traveler, inspiredtraveler.ca (March 27, 2021)
- Nicki Minaj's mom sues the man who hit and killed her husband for \$150 million, Explica.co (March 27, 2021)
- Arlo Hotel incident: Family of Black teen wrongly accused of theft filing racial profiling lawsuit, WABC (March 25, 2021)
- Family of Black teen accused of stealing cellphone sues woman, N.Y. hotel, nbcnews.com (March 25, 2021)
- Family of Black teen accused of stealing cellphone files lawsuit, Yahoo.com (March 25, 2021)
- 'SoHo Karen' Sued by Family of Black Teen She Falsely Accused of Stealing Phone, complex.com (March 25, 2021)
- Family sues Soho's Arlo Hotel for racial profiling after teen was falsely accused and attacked for theft, amny.com (March 24, 2021)
- Family sues NYC Hotel, 'SoHo Karen' in bogus phone theft charge, nydailynews.com (March 24, 2021)
- Family of Black teen falsely accused of phone theft to file suit against 'SoHo Karen,' hotel claim, 1010 WINS Newsroom (March 24, 2021)
- NYC Hotel Where Black Teen Keyon Harrold Jr., Was Falsely Accused of Stealing Phone Sued by Family, bet.com (March 24, 2021)
- Family of Black teen falsely accused of stealing woman's phone sues his accuser, CBS News (March 24, 2021)
- SoHo Karen faces civil lawsuit from family of teen she falsely accused of taking her hone, dailymail.co.uk (March 24, 2021)
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- [Tampa Bay Water files 'forever chemicals' lawsuit against DuPont, 3M](#), Tampa Bay Times (May 20, 2020)
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- [CCM: Towns Need State, Business Dollars To Clean Up Firefighting Foam](#), CTNewsJunkie.com (March 4, 2020)
- [Cairo considers joining PFAS suit](#), Hudson Valley 360 (March 3, 2020)
- [NRWA Files Class Action Lawsuit Against PFAS Manufacturers](#), Water Quality Products (WQP) (February 27, 2020)
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- [Lawsuit Filed in DC Seeks Money for Testing, Treatment for Controversial Chemicals Contaminating Water](#), WUSA-9 (February 25, 2020)
- NRWA Files Groundbreaking Class Action Lawsuit Against PFAS Manufacturers for Making, Selling Toxic Chemicals, As Covered by:
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- Rural Utilities Sue 3M, DuPoint Over PFAS Well Contamination, As Covered by:
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Publications

- [The Price of Profiling](#), Medium (May 6, 2021)
- [Counties Affected by PFAS As Covered By](#)
 - [New York State Association of Counties \(NYSAC\)](#)
 - [National Association of Counties \(NACo\)](#)
- [Antitrust Case of the Century in Generic Pharmaceuticals](#), National Association County Associations (NACo) (June 22, 2020)
- [Law Firm of the Month: Napoli Shkolnik PLLC](#), Attorney at Law Magazine (October 31, 2019)
- [Litigation Combats Hazards of Aqueous Film-Forming Foam Products](#), American Water Works Association (AWWA) Opflow Magazine (August 2019)
- [PFAS: A New Frontier for Waste Management and Landfill Leachate](#), New York State Association for Solid Waste Management (NYSASWM) (Volume 24 | Number 2 | Summer 2019)
- PFAS and Their Implications for Landfills
 - [Talk of the Towns & Topics Vo. 33 No. 3 May/June 2019](#)
 - [NYSASWM Newsletter \(March 1, 2019\)](#)
- [Statute of Limitations in Toxic Tort Cases: CPLR 214-f and Beyond](#), Paul Napoli and Michelle Greene, New York Law Journal (January 9, 2019)
- [September 11th, the Zadroga Act and World Trade Center Health Program](#), China Press (September 11, 2018) *This article is in Mandarin-Chinese.
- [Opioid Crisis Costs: Is There a Cause of Action?](#), The New York Law Journal (November 16, 2017)
- [The Emerging Crisis of PFAS Exposure](#), The New York Law Journal (October 6, 2017)
- [The Cost of Contamination](#), American Water Works Association Journal, What's New in Water and Waste Water, November 2012
- [Compensation through legislation for 9/11 responders and victims: An analysis of Zadroga](#) (Co-Author Brian Crosby), Westlaw Journal – Toxic Torts, Volume 29, Issue 8 / June 2011
- [Physician Liability In Diet Drug Litigation](#), New York Law Journal (April 20, 1998)
- Profiled in:
 - Mundy, Alicia, *Dispensing with the Truth: The Victims, The Drug Companies, and the Dramatic Story Behind the Battle Over Fen-Phen*, St. Martin's Press, 2001.
 - Depalma, Anthony, *City of Dust: Illness, Arrogance and 9/11*, FT Press, 2010



Professional Affiliations

- American Bar Association
- American Association for Justice (Former Founder)
- Diversity Law Institute, Member
- Law360's 2020 Editorial Boards: Environmental
- Law360's 2020 MVP Awards: Environmental
- Nassau County Bar Association

- National September 11th Memorial & Museum (Board Member)
 - New York State Bar Association
 - Suffolk County Bar Association
 - Trial Law Institute, Member
 - Trial Lawyers of Puerto Rico (Chairman)
 - St. John's Loughlin Society (Benefactors' Council)
 - St. John's University School of Law Dean's Advisory Counsel
 - Fordham University President Council
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Awards and Honors

- America's Top 100 High Stakes Litigators®, 2018
 - American Institute of Personal Injury Attorneys (AIOPIA), Member
 - American Trial Lawyers Association: Top 100 Attorneys in the New York Metro Area, 2011, 2010–2014
 - American Trial Lawyers Association: Top 100 Trial Lawyers, 2008, 2016-2017
 - AV Preeminent™ Martindale-Hubbell® Top Rated Lawyers
 - Best of the Best Top Attorney's Top 10 Personal Injury Law Attorney, 2020
 - Best Law Firms in New York, U.S. News & World Report, 2019
 - Corporate Counsel Top Ranked Law Firms, 2015
 - [Law360 MVP Award: Environmental Category, 2020](#)
 - [MVP: Napoli Shkolnik' S Paul J. Napoli](#), Law360 (October 23, 2020)
 - Lawyers of Distinction, 2016
 - Legal Leaders, AV Preeminent™ Martindale-Hubbell® Top Rated Lawyers
 - The Legal 500 United States, Top Tier
 - Legal Elite Top-Rated Lawyer in New York, *New York Magazine*, 2015
 - Litigation Counsel of America, Senior Fellow
 - Million Dollar Advocates Forum
 - National Academy of Personal Injury Attorneys (NAOPIA), 2020
 - The National Association of Distinguished Counsel, 2016–2019
 - National Law Journal Top 50 Elite Trial Lawyer
 - New York [Super Lawyers®](#), 2007–2021
 - Trial Law Institute, Member
 - Trial Lawyers Board of Regents Litigator Awards, 2015, 2016
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Speaking Engagements

- Featured Speaker, “A Cost Recovery Program: PFAS Water Contamination”, American Water Works Association (AWWA) Webinar Series (October 22, 2020)
- Speaker, “PFAS Class Action Lawsuit”, Rural Water Association of Utah: 2020 Annual Conference (February 27, 2020)
- Speaker, “PFAS & Your Local Landfill: Managing Risk and Preparing for Regulations”, New York State of Associations (NYSAC) (November 14, 2019)
- Speaker, “PFOAS and PFOS Contamination in NYS”, New York State City/County Management Association (NYSCMA), (May 29, 2019)
- Panelist, “Avoiding Surprise: Unregulated Chemicals and Risk”, Perrin Conferences, (May 14, 2019)
- Speaker, “PFAS Water Contamination”, National Organization of Black County Officials (NOBCO), (May 1-4, 2019)
- Speaker, “PFOA – The Hot Documents”, HarrisMartin’s Water Contamination Litigation Conference, 2018
- Faculty Member, “Groundwater Contamination Litigation: Proving and Defending Against Liability: Demonstrating Nexus, Causation and Injury to Recover Damages”, Strafford Webinars (June 5, 2018)
- Speaker, “Opioids – The Latest Information and Strategies”, Masters of Mass Tort Seminar (January 17-19, 2018)
- Speaker, “Flint Water Crisis: Get in the Know about Lead Poisoning and How It’s Litigated”, Perrin Conferences

