



## MMM Litigation Team Scores Major Victory for Home Depot



Atlanta (February, 2010) – Morris, Manning & Martin's litigation team recently won a significant victory for long-term client The Home Depot, Inc., the world's largest home improvement specialty retailer. The total defense verdict on December 8, 2009 concluded a five-year litigation process including the three-and-a-half week jury trial in Sacramento, California.

The case involved allegations of toxic exposure to arsenic and chromium from one of the nation's most common and popular building products – CCA pressure-treated wood. The hard-fought case had been pending for almost five years. Fourteen corporations were originally named as defendants; all but Home Depot reached settlements with the plaintiffs.

MMM utilized six expert witnesses from around the country, including a noted toxicologist from Denver, a Wood Science Ph.D. from Starkville, Mississippi, several medical experts and a half dozen fact or corporate-related witnesses.

Remarkably, after almost a month of testimony, the jury took less than a half-hour to announce its total defense verdict in favor of Home Depot. As a result, as well as the use of a modest statutory offer of judgment, Home Depot will be able to seek to recover significant portions of its costs and expenses, including expert fees, travel expenses and certain related fees.

This was the second jury verdict MMM won for Home Depot involving this product. The first involved a two week trial in Denver in 2005.

MMM partners **John MacNaughton** and **Seslee Mattson**, associate **Steve Pritchett** and paralegal **Cathy Ellington** led the product liability defense team, which also included associates **Marion Wilson**, **Elizabeth Ballard Ames** and **Sean Nation** as well as legal assistants **Ed Willard**, **Kathy Banks** and **Renaye O'Hanesian**.

### About Morris, Manning & Martin, LLP

Morris, Manning & Martin ([www.mmmlaw.com](http://www.mmmlaw.com)) is a full-service commercial law firm representing domestic and international clients throughout the United States. Our mission is to be the firm of choice for clients seeking the most creative, comprehensive and effective legal services available. Our legal solutions are delivered by industry-focused, diverse, involved lawyers who are dedicated to our clients' success, whether in a transaction, in court or in the everyday course of business.

Morris, Manning & Martin enjoys national prominence for its healthcare, intellectual property, capital markets, environmental, green industry, insurance, litigation, mergers and acquisitions, timberland, real estate and technology practices. The firm has offices in Atlanta, Savannah, Raleigh-Durham, Taipei, Beijing and Washington, D.C.

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