

# HEALTH EQUITY NEWSLETTER

August 2023  
V. 1, No. 3

Welcome to Health Equity, a monthly newsletter advocating for racial health equity and environmental justice in the United States, brought to you by Equal Justice Society and Lieff Cabraser Heimann & Bernstein LLP

## CLIMATE CHANGE IS A RACIAL JUSTICE IMPERATIVE

July was Earth's hottest month on record. Described by the United Nations as the greatest threat the world has ever faced, climate change disproportionately harms people of color, including people living in the Global South and on islands, including Puerto Rico and Hawai'i. This asymmetry in the impacts of climate change is especially unjust because historically wealthier countries (not in the Global South or on islands) have contributed disproportionately to the greenhouse gas emissions that scientists say cause the vast environmental catastrophes we are seeing today. The [Climate Reality Project](#) explains this environmental injustice: The island of Puerto Rico "accounts for 0.04% of the world's population, and practically 0% of the world's emissions," while the mainland United States "accounts for 4.2% of the world's population and nearly 12% of the world's emissions."



PHOTO: A Puerto Rican flag painted across the roots of hurricane-destroyed trees.

## THE LIFE AND LEGACY OF HENRIETTA LACKS

By Monica Bullard, Midwife,  
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Ms. Henrietta Lacks, a Black woman born in 1920, passed away from cervical cancer at the age of 31. You may not know her name or her story, but it is very likely that you and your family have benefitted from the scientific breakthroughs made possible because of Ms. Lacks. In 1951 she was diagnosed with terminal cervical cancer. Doctors decided to study her cancerous cells but instead of asking for permission, doctors removed cells from her body, saved them, and began studying them without her knowledge.

Researchers soon realized that Ms. Lacks' cancer cells were very special—they rapidly multiplied which allowed them to be grown in a laboratory and thus studied at length. These were the first cells in the world to survive and to multiply in a laboratory setting. Companies sold her cells (then named HeLa) to other laboratories for use in critical research. The cells that were taken from Ms. Lacks' body literally changed the course of history, saved countless lives worldwide, and continue to do so. Most significantly, her cells were responsible for the development of the polio vaccine and led to the discovery that the



PHOTO: "Henrietta Lacks" by Crawford Brian, licensed under [CC BY-SA 2.0](#)

Human Papilloma Virus causes cervical cancer.

Although Ms. Lacks did not receive any credit nor any restitution for her incredible contributions to science, the researchers who analyzed her cells for the diagnosis and prevention of cervical cancer received a Nobel Prize. The list of the ways that her cells are still being used in science is long. Since the discovery of HeLa cells, billions of dollars have been made from them, but not a dime had ever been paid to the descendants of Ms. Lacks.

Until this month.

After decades of fighting for justice, Ms. Lacks' family finally reached an undisclosed settlement with biotechnology company Thermo Fisher Scientific, who for decades benefitted financially from the unauthorized taking of her cells.

In particular, climate change is having profound impacts on Puerto Rico and Hawai'i, including stronger and more frequent hurricanes (such as the devastating Hurricane Maria that caused more than 1,000 deaths and months-long power outages in Puerto Rico) and tropical storms, rising sea levels, and flooding. Likewise, the dry conditions and super-charged winds of Hurricane Dora accelerated the horrific and deadly fire this month in Lāhainā, Maui. The impacts of these disasters are extraordinary and life-changing.

Climate change also negatively affects peoples' everyday health. Increased air temperatures are especially dangerous for children, the elderly, and those who are already vulnerable due to sickness or lack of resources. Increased temperatures also prolong the life cycle of mosquitos that spread diseases such as malaria.

There are many Puerto Rican and Hawaiian organizations advocating for environmental justice and health equity including [Organización Boricúa](#), Taller Salud ([English](#), [Espanol](#)), [Āina Momona](#), and [KAHEA](#).

## Climate change is having the most harmful impact on those who are least responsible for it.

In order to ensure that our most vulnerable neighbors are not left behind in the continuing debates over stemming climate change, we will continue to prioritize environmental justice as fundamental to racial equity everywhere.

This groundbreaking settlement provides some measure of justice for her family and finally acknowledges that the breakthroughs in science that have saved lives and have made billions for a biotechnology company came from a Black woman from Roanoke, Virginia, a hero to all of us, named Ms. Henrietta Lacks.

**PHOTO: Monica Bullard, Midwife, Legal Nurse Consultant – Lief Cabraser**



## Hair Relaxer Litigation Update

Lawsuits alleging hair relaxers cause gynecologic cancers are advancing together in the Multi-District Litigation ("MDL") No. 3060 in the United States District Court for the Northern District of Illinois in Chicago before Judge Mary Rowland. In previous newsletters ([No.1](#), [No.2](#)), we explained that the plaintiffs' lead attorneys filed a master "long-form" complaint (the document that states the plaintiffs' collective allegations in the lawsuit) and a "short-form" complaint (a document that adopts the long-form complaint's allegations and adds each plaintiff's unique set of facts). On August 3, 2023, Judge Rowland approved plaintiffs' short-form complaint. This [short-form complaint](#) will allow more women to efficiently join the litigation, pursue justice, and hold defendants accountable.

On July 5, 2023, defendants filed a motion to dismiss the long-form complaint. The lead plaintiffs' attorneys opposed this motion on August 4, 2023, and we are awaiting Judge Rowland's decision.

**Some important deadlines are coming up. People who used Revlon hair relaxers and filed a proof of claim in the Revlon bankruptcy are required to file a short-form complaint in the MDL by **September 14, 2023**. People who had already filed individual complaints in the MDL prior to **August 3, 2023**, must file a short-form complaint by **October 17, 2023**.**

We will continue to provide updates on the status of this litigation, including providing relevant deadlines. **(If you are not sure if you have a deadline for this filing, please reach out at this [link](#).)**

Case: 1:23-cv-00818 Document #: 173 Filed: 08/01/23 Page 1 of 11 PageID #: 2223

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS	
IN RE: HAIR RELAXER MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION	MDL No. 3060 Master Docket Case No. 1:23-cv-00818 Honorable Mary M. Rowland
<b>Plaintiff(s)</b>	SHORT-FORM COMPLAINT AND JURY DEMAND
<b>v.</b>	
<b>Defendant(s)</b>	Civil Action No.

1. Plaintiff(s)/Injured Party/Decedent (hereinafter, "Plaintiff(s)") incorporate by reference Plaintiffs' Master Long Form Complaint in *In Re: Hair Relaxer Marketing, Sales Practices and Products Liability Litigation*, MDL 3060, filed as of May 15, 2023, as Document Number 106.

2. Plaintiff(s), \_\_\_\_\_, file(s) this Complaint pursuant to CMO No. 2 and is to be bound by the rights, protections and privileges, and obligations of that CMO and other Orders of the Court. Further, in accordance with CMO No. 2, Plaintiff(s) hereby designate(s) the United States District Court for the \_\_\_\_\_ as Plaintiff's designated venue ("Original Venue"). Plaintiff makes this selection based upon one (or more) of the following factors (please check the appropriate box(es)):

— Plaintiff currently resides in \_\_\_\_\_ (City/State);

— Plaintiff purchased and used Defendant(s)' product(s) in \_\_\_\_\_ (City/State);

— The Original Venue is a judicial district in which Defendant \_\_\_\_\_ resides, and all defendants are residents of the State in which the district is located



# CAMP LEJEUNE LITIGATION UPDATE – BLACK AND LATINO/A/X MILITARY FAMILIES AND BASE WORKERS AFFECTED

## One Year Left to File Camp Lejeune Claims

You may have seen information about this case while watching TV or listening to the radio. But you may not have realized that it could impact friends or family that you know. In fact, many Black, Latino/a/x, Indigenous, and AAPI soldiers, servicemembers, and/or staff spent time at Marine Corps Base Camp Lejeune in North Carolina between August 1953 and December 1987. Unfortunately, the water at that base was contaminated with toxic chemicals that may have caused or may still cause cancers or other illnesses.

Fortunately, the U.S. government wants to make sure that people who were harmed receive compensation. But the government has set a deadline for claims of **August 9, 2024** (next year).

Anyone who drank the contaminated water can file a claim—whether they are a veteran who served on base, a family member who lived on base, a civilian who worked on base, or the relative of a loved one who died after drinking water on base. In addition, filing a claim will not jeopardize VA benefits.

Although affected persons can file a claim for any illness related to contaminated water at Camp Lejeune, the government has identified [certain illnesses](#) it admits can be caused by this exposure, including kidney cancer, non-Hodgkin's lymphoma, leukemia, liver cancer, bladder cancer, multiple myeloma, Parkinson's disease,

end-stage renal (kidney) disease, systemic sclerosis or scleroderma, and cardiac birth defects.

Two steps are required to make a claim under the Camp Lejeune Justice Act. **FIRST**, file an administrative claim with the Navy by August 9, 2024. **SECOND**, if the Navy denies your claim or does not respond within six months, you then have 180 days to file a lawsuit. To get more information and answers to frequently asked questions, please go [here](#).

Future newsletters will provide brief updates for potential claimants.



## MEET OUR LEGAL TEAM



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