

HEALTH EQUITY NEWSLETTER

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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

CLEAN, SAFE WATER IS A RACIAL JUSTICE ISSUE

Access to clean, safe water is a fundamental human right. Yet, in the United States, this right is not guaranteed, especially for Black citizens.

Residents of [Jackson, Mississippi](#), Flint, Michigan, and [Benton Harbor, Michigan](#) have been poisoned by lead-contaminated water in their public water supply through the actions and failures of their elected officials as well as private companies. Sadly, what all three cities have in common is that the majority of their residents are Black, and the surrounding cities predominately White.

While the tragedy in Flint has received national media attention, lead sampling in Jackson and Benton Harbor revealed similar or even more toxic levels of lead than the levels present during Flint's water crisis.

Lead is a highly toxic metal that causes severe health consequences. The Environmental Protection Agency ("EPA") has set the maximum contaminant level goals (MCLGs) for lead at **zero**.



"THE COST OF STRAIGHT HAIR"

An in-depth profile of our client Deanna Denham Hughes has just been published in *New York Magazine's The Cut*. Learn about Deanna's brave struggle with ovarian cancer that she alleges arose because of her long-term use of hair relaxers, starting as a young child, and the lawsuit she filed to seek justice. Like thousands of other Black and Afro-Latinx women, Deanna has stepped forward to hold L'Oreal, Softsheen, Revlon and other companies liable for her devastating injuries. You can read the full article by Angelina Chapin [here](#).



There is no safe level of exposure to lead.

The health consequences are especially devastating to kids. [According to the EPA](#), even low levels of lead exposure in infants & children have been linked to:

- Behavior and learning problems
- Lower IQ and hyperactivity
- Slowed growth
- Hearing problems
- Anemia

“[EPA](#) and the Centers for Disease Control and Prevention (CDC) agree that there is no known safe level of lead in a child’s blood,” the agency states.

[In adults](#), lead exposure can cause:

- Cardiovascular effects, increased blood pressure & incidence of hypertension
- Decreased kidney function
- Reproductive problems (in both men and women)

The most common way that lead enters drinking water is through lead leaching from pipes, fittings, fixtures, and/or faucets due to corrosive water (water that has high acidity or low mineral content).

What you can do if you believe your water is contaminated with lead:

- Contact your healthcare provider for testing and treatment
- Contact your water utility company for testing
- Correctly install water filters certified to remove lead
- Use bottled water, especially for making baby formula



PHOTO: Flint, Michigan water crisis

Despite some misguided recommendations from government officials in Jackson, you should not boil lead-contaminated water because the water boils off and evaporates but the lead does **not**, leading to a higher concentration of lead in the resulting drinking water.

HAIR RELAXER LITIGATION UPDATE

Tens of thousands of women have filed lawsuits against hair relaxer manufacturers alleging relaxers cause gynecologic cancers in Multi-District Litigation (“MDL”) No. 3060 in the United States District Court for the Northern District of Illinois in Chicago (Judge Mary Rowland).

In previous newsletters ([No.1](#), [No.2](#), [No.3](#)), we explained the process for plaintiffs to file “short-form”

complaints, the document that adopts the long-form complaint’s collective allegations and adds each plaintiff’s unique set of facts.

The deadline to file a short-form complaint if you used Revlon hair relaxers and filed a proof of claim in the Revlon bankruptcy was September 14, 2023. **However, if you missed this deadline against Revlon, you can still bring claims against other relaxer companies.**

Some states have short statutes of limitations (the time limit in which

you can file a lawsuit). Therefore, **if you are subject to a short statute of limitations (states including Alabama, Kentucky, Louisiana, Puerto Rico, and Tennessee), you should consult with an attorney to determine when you should file your complaint.**

If you are not sure if you have an approaching deadline, please reach out to us at this [link](#).

Defendants’ motion to dismiss plaintiffs’ long-form complaint is fully briefed, and we are awaiting

Judge Rowland's decision.

Finally, Plaintiffs and Defendants are in negotiations regarding the production of discovery documents used to build the case. Plaintiffs raised disputes they have about Defendants' document production on September 27th.

We will continue to provide updates on the status of this important litigation, including providing relevant deadlines.

Civil Rights Docket Roundup

Equal Justice Society and Lief Cabraser are dedicated to advancing justice and have an active civil rights and racial justice docket. In addition to the hair relaxer litigation and the environmental justice lead contamination cases, here are updates in some representative cases:

Camp Lejeune Litigation Update:

Many Black, Latino/ a/x, Indigenous, and AAPI soldiers, servicemembers, staff, and their families 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.

If you or someone you know was exposed to the toxic water at Camp Lejeune from 1953 to 1987, you may file a claim with the Navy by **August 9, 2024** and, if the Navy denies your claim or does not respond within six months, you then have 180 days to file a lawsuit. The government has recently announced a program for early settlement offers to a limited set of Camp Lejeune claimants. For more information on the litigation and the early settlement program, visit: <https://camplejeunecourtinfo.com/>

Necrotizing Enterocolitis (NEC) in Babies Fed Similac and/or Enfamil Baby Formulas:

NEC is the most common, serious gastrointestinal disease affecting newborn infants. Preterm and low birth weight babies have a higher risk of NEC.

Potentially lethal NEC in preterm and low-weight infants has been linked to the use of cow-milk based formula, including Similac and Enfamil. Despite the strong medical evidence establishing the extreme dangers cow-based products pose for premature infants, manufacturers have marketed and continue to market their cow-based products as an equally safe alternative to breast milk, and indeed have falsely promoted their products as necessary for proper nutrition and growth. To learn more, please visit:

<https://www.lieffcabraser.com/tag/infant-formula/>

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