



3M Combat Arms Earplugs & Hearing Injuries



Free Case Review

Lieff Cabraser represents soldiers across America injured by faulty 3M earplugs. To contact an experienced injury attorney for a free, no-obligation case evaluation, please call us toll-free at **1-800-541-7358** and ask to speak to attorney Wendy Fleishman.

Frequently Asked Questions about 3M Combat Arms Earplugs

Lieff Cabraser has successfully represented thousands of individuals and families in personal injury lawsuits for over 45 years, including recent cases on behalf of patients injured by defective earplugs. With offices in San Francisco, New York, and Nashville, we offer our clients the substantial resources of a national plaintiffs' law firm critical to obtaining justice from the nation's most powerful corporations, while providing each client with high-level individualized representation.

1. When did the 3M earplug defects become public?

In July 2018, the Department of Justice announced that 3M Company had agreed to pay \$9.1 million to resolve allegations that it knowingly sold the dual-ended Combat Arms Earplugs, Version 2 (CAEv2) to the United States military without disclosing defects that hampered the effectiveness of the hearing protection devices. Now, military and ex-military personnel are experiencing hearing loss and related hearing problems in unprecedented numbers.

2. When were these defective earplugs in use by the U.S. military and how widely were they used?

The now-discontinued dual-ended Combat Arms Earplugs were standard-

issue equipment for servicemembers in all U.S. military branches between 2003 and 2015.

3. What are the specific defects associated with these earplugs?

Specifically, the United States alleged that 3M, and its predecessor, Aearo Technologies, Inc., knew the CAEv2 earplugs were too short for proper insertion into users' ears, and that the plugs could loosen imperceptibly and therefore did not perform well for certain individuals. The United States further alleged that 3M did not disclose this design defect to the military.

4. Why were the 3M Combat Arms Earplugs so dangerous?

As alleged in the government's original proceedings against 3M, though 3M knew of the earplugs' defects 3M



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continued to sell them to the U.S. military without disclosing the defects for over a decade, putting all users at risk of permanent hearing loss.

5. What specific hearing issues or symptoms have been linked to the defective 3M Combat Arms Earplugs?

Lawsuit complaints allege the 3M Combat Arms Earplugs, distributed between 2003 and 2015, were too short for proper insertion into users' ears, putting users at serious risk for permanent hearing loss, hearing impairment, and tinnitus when the plugs did not function for their intended uses.

6. What should I do if I think my hearing has been adversely affected by my use of 3M Combat Arms Earplugs?

You should discuss any hearing problems you may be experiencing with your doctor. We also recommend you consult with an attorney at your earliest convenience, as there are certain laws that apply to restrict the time you have available to file a lawsuit to try to obtain recovery for your injuries.

Despite anything you might have been told, you have every right to discuss your legal rights and potential claims against 3M with a lawyer. Many lawyers, including those at Lieff Cabraser, will be willing to provide a free consultation without

any obligation.

We strongly recommend that you not sign any documents given to you by a 3M investigator, lawyer, or agent until after you have consulted with an independent law firm such as Lieff Cabraser, a firm that is working for patients, not for 3M.

7. What are some of the specific claims being made against 3M in lawsuits filed by injured patients?

Lieff Cabraser represents military earplug users across the U.S. in lawsuits against 3M seeking justice and fair compensation for their pain, suffering, lost wages, and other losses from the deficiencies of the defective Combat Arms Earplugs. These patients have suffered a range of serious injuries from the defective earplugs, including partial and permanent hearing loss, hearing impairment, and debilitating tinnitus.

The lawsuits charge that 3M could have eliminated the risks of their earplugs if they not lied to the government about their hearing protection scores. The lawsuits further allege that 3M knew the design problems made its earplugs unsafe for users, yet continued to market and sell the devices.

8. What types of claims can I present?

The law in most states provides individuals with legal claims including the right to compensation for past injuries they suffered as a result of a protective device that is defective or fails to perform as advertised under certain circumstances. These damages may include past and future medical



"Their effective and caring advocacy for clients has earned Lieff Cabraser its first-class reputation."
The Daily Journal

expenses, past and future lost earnings, other out-of-pocket expenses, and damages for pain and suffering.

9. What recovery will I receive?

If 3M is found liable or settles with you out-of-court through our representation of you, you might receive a settlement or judgment compensating you for your medical bills, your pain and suffering and humiliation, and other financial losses. If you suffered a personal injury, the defendant could be responsible for paying for your medical care, both past and to be incurred in the future, that is attributable to the defective device, your past and future lost earnings, and any limitations on your ability to earn money, and compensation for pain and suffering. Your spouse may also be entitled to an award of loss of services and emotional support.

We have economists on retainer who specialize in evaluating injuries and losses and in calculating the lump-sum amounts necessary to determine a fair monetary compensation for your economic damages.

10. Can any money be advanced by 3M without prejudicing my claim?

It is important to carefully read and study any and all such offers to make sure there are no hidden costs or waiver of rights. Consulting with an attorney prior to signing any legal documents will help guide appropriate action and reveal potential problems.

11. How quickly must I hire an attorney?

You should not feel pressured to make an immediate decision about hiring counsel. Focusing on managing your health should take precedence over legal issues. However, keep in mind that there are deadlines for filing lawsuits. Known as Statutes of Limitations, these deadlines vary from state to state. The limits can be as short as one year in some states.

12. Do I pay a fee for Lieff Cabraser's review of my case?

There is no charge for our review of your case. If we decide we can represent you, we will discuss our contingent fees (calculated as a percentage of the recovery we obtain) and then provide a contract to be agreed upon with you in writing.

13. How long will a lawsuit take?

We cannot give any guarantee as to when any case will be resolved. In some instances, a case will settle to our client's satisfaction shortly after it is filed, or perhaps even before. In other cases, a final resolution may take two years or more.

Lieff Cabraser works swiftly and efficiently to obtain the maximum compensation for our clients and to bring each case to a successful conclusion as quickly as possible, while at the same time ensuring that all legal steps are vigorously pursued. We do not charge our clients hourly fees and earn no compensation for ourselves until you receive your recovery.

Our Promise to You

- Our injury lawyers have successfully represented tens of thousands of clients across America in personal injury cases involving defective medical devices.
- We provide each client with high-level individualized representation.
- There is no charge or obligation for our review of your injury lawsuit.
- We have retained product safety and medical experts nationwide to assist our clients with their claims.
- In addition to our experienced lawyers, we have a team of nurses, researchers, legal assistants, and case clerks assigned to the prosecution of the 3M litigation. Our firm employs five full-time nurses, including ones with decades of experience working with patients.



Contact a 3M Earplugs Personal Injury Attorney

If you or a loved one have been injured by 3M ear plugs, please visit us at LieffCabraser.com/3m or call us toll-free at 1-800-541-7358 and ask to speak to attorney Wendy Fleishman. We will promptly review your case at no charge and without any obligation on your part.

14. Do I need a lawyer? Why don't I just contact 3M and work it out with their insurance company?

It is usually not advisable to try to resolve on your own a case involving a defective

medical device causing substantial and prolonged injuries. An attorney can be critical to properly evaluating your case and advising you of your rights. Without counsel, and the experts counsel hires, you may never know the true value of your case.

It is important to understand that a company like 3M and its insurers employ the services of lawyers who seek to minimize the legal exposure and financial payments that will be made to the victims of a defective device. In contrast, our duty is to maximize the compensation that our clients are entitled to receive.

Many attorneys, including Lieff Cabraser, are willing to provide free consultations without obligations.

15. How do I select an attorney to represent me?

In deciding on representation, you should seek a law firm with substantial experience in successfully prosecuting similar cases. It is important not only to verify the reputation and experience of the law firm as a whole, but to be sure that your case will be handled by lawyers with appropriate experience. You should choose a law firm with sufficient financial resources to conduct a thorough investigation and to prosecute the case through trial and appeal if necessary.

16. What is Lieff Cabraser's track record in defective protective device cases, such as the 3M earplugs litigation?

Lieff Cabraser has successfully represented tens of thousands of clients across America with defective protective and medical devices in individual lawsuits, including patients with defective earplugs.

We have relationships with experts to assist us in any prosecution of the 3M earplug injury lawsuits.

Lieff Cabraser Heimann & Bernstein

Attorneys at Law

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