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Johnson & Johnson Settles 76,000 Talcum Powder Lawsuits for at Least $5.5B

By Amanda Bronstad

July 27, 2026

What You Need to Know

- The talc litigation featured dozens of verdicts for both sides and three failed bankruptcies by Johnson & Johnson's subsidiaries.
- The settlement follows a July 22 ruling by U.S. Magistrate Judge Rukhsanah Singh, in the multidistrict litigation in New Jersey, granting Johnson & Johnosn' motion to show cause why all the talc cases shouldn't be dismissed after lead plaintiffs' lawyers withdrew their two key specific causation experts from bellwether cases.
- Plaintiffs' lawyers who negotiated the settlement were Christopher Seeger, of Seeger Weiss in Ridgefield Park, New Jersey; R. Bryant McCulley of Washington D.C.'s Ashcraft & Gerel; and Hunter Shkolnik of Napoli Shkolnik in San Juan, Puerto Rico. Johnson & Johnson' s lead negotiating attorney was Barnes & Thornburg's Jim Murdica in New York.

Johnson & Johnson has reached a global settlement of 76,000 talcum powder lawsuits after 15 years of litigation that featured dozens of verdicts for both sides and three failed bankruptcies by its subsidiaries.

In a Monday announcement, Johnson & Johnson said it had committed $5.5 billion to resolve 99.75% of the cases, $3 billion of which would be paid in 2027. The settlement resolves claims filed in both state courts and the multidistrict litigation, in the U.S. District Court for the District of New Jersey, that Johnson & Johnson's talc-based baby powder caused women to get ovarian cancer.

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Johnson & Johnson baby powder.

"After decades of litigation and full vetting of the science in an extensive hearing, plaintiffs effectively conceded their inability to prove specific causation by withdrawing their experts on the topic in two bellwether cases," Erik Haas, worldwide vice president of litigation of Johnson & Johnson, said in a prepared statement. "In a watershed moment, the court thereafter ordered plaintiffs to show why the remaining claims should not be dismissed, confirming what we have maintained for years: that these claims lack scientific merit and were sustained only by unreliable expert opinions that could not survive rigorous judicial review."

"While we are confident the company would have ultimately prevailed with further litigation, as it has in the vast majority of cases tried to date," he added, "this resolution allows the company to put this matter behind it and remain focused on its mission to develop medicines and devices that save lives."

The settlement, which is uncapped and based on a tiered grid system based on certain criteria, is contingent on 95% of claimants participating. Plaintiffs' lawyers who negotiated the settlement were Christopher Seeger, of Seeger Weiss in Ridgefield Park, New Jersey; R. Bryant McCulley of Washington D.C.'s Ashcraft & Gerel; and Hunter Shkolnik of Napoli Shkolnik in San Juan, Puerto Rico. Johnson & Johnson' s lead negotiating attorney was Barnes & Thornburg's Jim Murdica in New York.

Seeger said Singh's ruling was one of several factors leading to the settlement.

"A lot of things have happened, good and bad," he said, noting that juries had sided with Johnson & Johnson and plaintiffs in recent trials across the country. "All that factors in, but at the end of the day we think we got a good deal."

He said that $5.5 billion was the floor of the settlement's value and expected the amount to reach $6 billion or $7 billion in the end. That's less than the $10 billion settlement proposed by Johnson & Johnson as part of its third bankruptcy, which was dismissed in 2025, but Seeger noted, "This is the only deal in 12 years that's been signed and going forward."

People can speculate what could've gotten in the bankruptcy, but it didn't happen," he said. "Both sides didn't agree."

Plaintiffs' co-lead counsel Michelle Parfitt, of Ashcraft & Gerel, said in a prepared statement, "This resolution could not have been achieved without the courage and determination of these women and their families who demanded accountability for the conduct of J&J."

Shkolnik was on the plaintiffs' executive committee along with liaison counsel Christopher Placitella of Cohen, Placitella & Roth in Red Bank, New Jersey, and members Richard Golomb of Philadelphia's Golomb Legal and Warren Burns of Dallas-based Burns Charest. The plaintiffs' steering committee includes Christoper Tisi of Levin Papantonio Proctor Buchanan O'Brien Barr & Mougey in Pensacola, Florida; Carmen Scott and Dan Lapinski of Motley Rice in Mt. Pleasant, South Carolina; Kristie Hightower of Lundy LLP in Lake Charles, Louisiana; Timothy Blood of San Diego's Blood Hurst & O'Reardon; Larry Berman of Philadelphia's Levin Sedran & Berman; Jeff Gibson of Wagner Reese in Carmel, Indiana; and Victoria Maniatis of New York's Milberg.

One firm not mentioned is Beasley Allen, whose opposition derailed the Chapter 11 bankruptcies filed by Johnson & Johnson's subsidiaries. The Montgomery, Alabama-based firm was disqualified earlier this year from much of the talc litigation after principal Andy Birchfield was found to have partnered with one of its former lawyers, James Conlan, previously at Faegre Drinker Biddle & Reath, to propose a $19 billion talc settlement in 2023. A Feb. 6 ruling by the New Jersey Appellate Division led to additional removals of its lawyers, including principal Leigh O'Dell, who was co-lead of the talc multidistrict litigation.

On July 9, Broward County Circuit Court Judge Jeffrey Levenson disqualified Beasley Allen from a Florida talc case after conducting his own evidentiary hearing, during which Johnson & Johnson's lawyers found "concerning and newly developed facts" about other plaintiffs' lawyers who may have worked with Conlan.

Birchfield and O'Dell did not respond to questions about whether they plan to recommend their clients participate in the settlement.

"I'm not aware of any opposition from Beasley Allen," Seeger told Law.com. "Because of the disqualification, some of their clients went to other law firms. I don't think they're disqualified in California, so they could still represent California residents, but I expect Beasley Allen to support the settlement at the end of the day."