

Holding Chemical Companies Responsible

James L. Ferraro

Castillo v. E.I. du Pont de Nemours and Company and Pine Island Farms

James L. Ferraro of Miami's Ferraro & Associates proved that a pregnant woman's exposure to the fungicide Benlate caused her child to be born without eyes — and held DuPont accountable in *Castillo v. E.I. du Pont de Nemours and Company and Pine Island Farms*. It is the first case ever successfully prosecuted against a chemical company for causing a birth defect.

Ferraro endured three years of discovery, which included taking 63 depositions in four countries, reviewing tens of thousands of documents, and battling over 60 pretrial motions. Ferraro also had the onerous task of ruling out all other potential causes for the birth defect. In addition, the trial included complex hearings on highly technical scientific issues that involved rat and human studies on the potential effects of Benlate exposure. After a six-week trial, the jury returned a \$4 million verdict against DuPont.



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The successful outcome on behalf of the plaintiff has opened the courthouse doors to many children born without eyes because of DuPont's wrongful conduct. Ferraro currently represents approximately 50 other children in similar situations.