

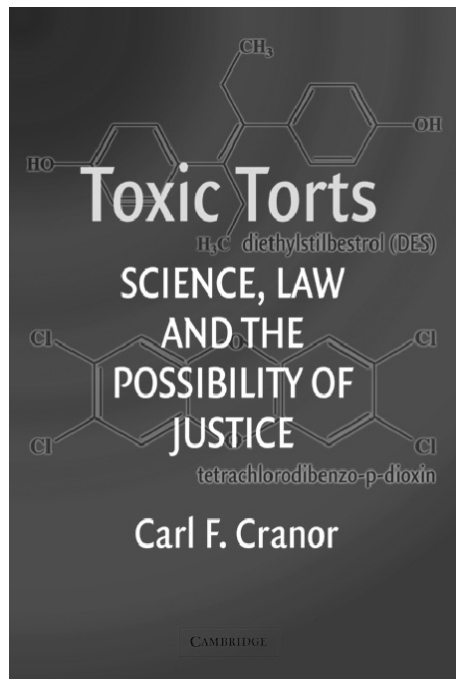
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# TOXIC TORTS

SCIENCE, LAW AND THE POSSIBILITY OF JUSTICE

CARL F. CRANOR

UNIVERSITY OF CALIFORNIA, RIVERSIDE



The relationship between science, law and justice has become a pressing issue with recent U.S. Supreme Court decisions beginning with *Daubert v. Merrell-Dow Pharmaceutical*. How courts review scientific testimony and its foundation before trial can affect justice between parties in toxic tort cases and have other unforeseen consequences. On one side, if courts do not review scientific testimony well, they can mistakenly injure companies and their products. On the other side, they can decrease citizen access to the law, increase incentives for firms not to test potentially toxic substances, lower deterrence for wrongful conduct and harmful products, and decrease the possibility of justice for citizens injured by toxicants. Even if courts review evidence accurately, the fact and perception of greater judicial scrutiny increases litigation costs and attorney screening of clients. This book introduces these issues, reveals the relationships that pose problems, and shows how justice can be enhanced in toxic tort litigation.

*"Carl Cranor has achieved the almost impossible goal of a learned, readable, and exciting book on the torturous interactions between law and science in tort litigation. For a scientist, his analysis of case law in this field is exceptionally informative and provocative."*

Ellen K. Silbergeld, PhD, Professor, Environmental Health Sciences  
Johns Hopkins University, Bloomberg School of Public Health

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*“This highly sophisticated examination of science’s role in toxic tort litigation is presented so clearly that even a lay reader can comprehend the impact the courts’ views on science are having on everyday lives.”*

Margareta A. Berger, Suzanne J. and Norman Miles Professor of Law, Brooklyn Law School

*“Cranor's insightful discussions of science and law as it is seen by the Courts in toxic tort litigation is a "must read" for scientists in toxicology, epidemiology, and pharmacology.”*

Eula Bingham PhD, Professor, College of Medicine, University of Cincinnati

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