

Secrecy in National Opioid Trial Draws Scrutiny and Concern

Co-Founder and Managing Partner [Harry Nelson](#) was interviewed by of [Bloomberg Law](#) regarding the increased scrutiny of the nation's multidistrict opioid litigation. The federal judge presiding over the case, Dan Polster, has been criticized for his lack of transparency surrounding the proceedings.

Notably, Polster issued a non-disclosure ruling early in the case, blocking the release of a massive database of Drug Enforcement Administration records. The documents contain the date of all opioid transactions, along with the manufacturer, distributor, and which county and state where each pill was ultimately delivered. The decision was an "outdated approach that has not caught up to where the country is at a national level on public health issues," said Harry Nelson, founder of the Los Angeles-based health-care law firm Nelson Hardiman.

Harry Nelson, "Secrecy in National Opioid Trial Draws Scrutiny and Concern"
Bloomberg Law, 2019

Harry Nelson has been a key analyst of the ongoing opioid litigation. Forbes published his op-ed this summer, "[The Opioid Litigation: Settlements, Winners, and Losers](#)". The comparison of the recent opioid litigation was made to Tobacco Litigation of the 90s and early 2000s however, Harry observes that a closer comparison would be to the Asbestos "Mass Tort" Litigation, which still drags on today, 20 years later.

As with the asbestos litigation, it is quite easy to imagine the opioid litigation dragging on for years and bankrupting one defendant after another...No matter how many billions of dollars drug makers and distributors (and their insurance companies) have reserved for settlement purposes, it is likely to be difficult if not impossible to hold back enough to anticipate, let alone address all of the future claims.

Harry Nelson, "The Opioid Litigation: Settlements, Winners, and Losers"
Forbes, 2019

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