

FOR IMMEDIATE RELEASE

For additional information and

An interview with counsel from

Eglet Adams Eglet Ham Henriod

Contact Jordan Miszlay

(702)450-5400 or jmiszlay@egletlaw.com

<https://www.egletlaw.com/>

NEVADA SUPREME COURT VICTORY FOR INJURED PLAINTIFFS IN ADKINS, ET AL. VS. UNION PACIFIC RAILROAD COMPANY, ADKINS V. UNION PAC. R.R. CO.*, 2024 NEV. ADV. OP. 48, ___ P.3D ___. EGLET ADAMS EGLET HAM HENRIOD ATTORNEYS JOEL HENRIOD AND ERICA ENTSMINGER SECURE REVERSAL IN FAR-REACHING CASE INVOLVING TOXIC EXPOSURE

Las Vegas, NV – August 16, 2024 – In a significant victory for the plaintiffs, the Nevada Supreme Court has reversed a lower court's dismissal of the case *Adkins, et al. vs. Union Pacific Railroad Company, et al.*, and ruled in favor of the injured plaintiffs represented by appellate attorneys [Joel Henriod](#) and [Erica Entsminger](#) of the law firm [Eglet Adams Eglet Ham Henriod](#).

The case that was filed by pro hac vice attorney Lindsay Dibler of Missouri and local counsel Craig Mueller, involving personal injury and wrongful death claims arising from exposure to toxic chemicals in the Clark County Government Center (CCGC) that caused numerous Clark County employees to contract terminal cancer and led to multiple employee deaths, may now proceed to discovery and trial following this critical decision. The plaintiffs brought claims against Union Pacific Railroad who previously owned the property, the manufacturers of polychlorinated biphenyls (PCBs) (all Monsanto companies), and those who were involved with the associated CalNev Pipeline. Plaintiffs seek damages for current and former CCGC employees exposed to toxic chemicals present in and around the CCGC building.

The case was initially dismissed by the Eighth Judicial District Court in Clark County on the grounds that the plaintiffs' claims were barred by the statute of limitations. However, [the Nevada Supreme Court reversed that decision on August 15, 2024](#), concluding that the discovery rule and the doctrine of equitable tolling may toll the two-year statute of limitations in situations where the plaintiffs were unaware of their claims because they never knew about the toxins in the soil under the building, or that their illnesses were diagnosed years after working in the building, or of the potential connection between the toxins and their illnesses. The complaint also alleges that supervisors in the building had deflected employee complaints and concerns over the years and no one ever informed workers about the contaminated ground.

The Court's ruling emphasized that, even with diligent investigation, the plaintiffs might not have reasonably discovered the facts supporting their cause of action earlier. This decision aligns with prior precedent and reinforces the application of the discovery rule to personal injury cases in Nevada.

"This ruling affirms the courthouse will not be shut to victims simply because they receive their diagnoses and learn the cause of their illnesses more than two years after first exposure to toxic

chemicals, especially when they've been told there is no problem," said Joel Henriod, a partner at Eglet Adams Eglet Ham Henriod. Erica Entsminger, also representing the plaintiffs, added, "This victory is not just for our clients, but for all individuals who have been wronged by corporate negligence and have been unfairly denied justice due to technicalities like the statute of limitations."

This decision marks a critical step forward for the plaintiffs in their fight against those responsible for the toxic exposure that has caused so much harm in the community.

Senior Partner [Robert Eglet](#), ranked among the top five trial lawyers in America, will serve as lead trial counsel in this case. He has twice secured the largest verdicts in the country and has been honored as Nevada Trial Lawyer of the Year on two occasions, National Lawyer of the Year in 2010, and National Trial Lawyer of the Year in 2014.

The Law Office of Eglet Adams Eglet Ham Henriod is one of the most successful and well-respected catastrophic injury trial firms in the country. The firm handles injuries that involve defective products, pharmaceutical negligence, sexual assaults, vehicular negligence, insurance bad faith, wrongful death, and mass torts. Eglet Adams Eglet Ham Henriod is known for its tireless advocacy on behalf of injured clients and its success in securing record-breaking verdicts and settlements. In 2023, the firm, on behalf of the State of Nevada and local governments, settled much of the opioid litigation for \$1.145 billion, achieving a larger per capita settlement amount than any other state in the country.

###