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**Statement by Bonnie J. Campbell on Behalf of Defendants in
*People of the State California, et al. v. Atlantic Richfield Company, et al.***

The following may be attributed to Bonnie J. Campbell, spokesperson for defendants ConAgra Grocery Products Company, NL Industries, Inc. and The Sherwin-Williams Company. Campbell is the former Attorney General of Iowa and led the U.S. Department of Justice's Office on Violence Against Women during the Clinton Administration.

“The judge’s decision is wrong under California law and wrong on the facts. If other cities, counties or states carefully review this decision, they will see that it does not apply in their jurisdictions either. They will find that the judge’s decision contradicts local, state and federal regulations – including those of EPA and HUD – recognizing that the safest way to deal with lead-based interior paint is through proper owner maintenance and repainting.

“They will see the many adverse consequences of the judge’s decision. Scofflaw slum lords who have kept their properties in the worst conditions in order to maximize profits would be rewarded by the government for their behavior. Owners would no longer have any incentive to maintain their properties to prevent injuries to tenants. They will see a court-ordered intrusion into hundreds of thousands of homes, with local cities and counties held liable for the conduct of inspectors and the quality of their inspections and abatement work. They will see the impact on every homeowner and tenant of pre-1978 housing. As rents rise because owners cannot lease properties with lead paint, the supply of affordable housing will decline, and pre-1978 property values will drop.

“The judge’s decision declares that there is no safe lead level, but ignores the fact that parks, playgrounds, streets, water, and air have substantial amounts of lead, not from paint. Yet, the municipalities exempt all of these places and sources from their remedy. The ruling creates the risk of huge, unfunded liabilities for the State, counties and cities.

“The judge’s decision says that there is a lack of government resources to remove all lead paint from inside homes. But no plaintiff has asked the legislature for more money, and state and local law permits intact lead paint to remain safely in place, because removing the lead paint is unnecessary and can create hazards to children. It is also not the role of the courts to create or expand public policy programs established by the legislature and funded through regulatory fees. This decision overreaches, oversteps the role of courts, and is wrong.

“Public nuisance cases filed in seven jurisdictions – Ohio, Rhode Island, Missouri, New Jersey, Illinois, New York and Wisconsin – have all been either rejected by courts or by a jury, or

voluntarily dismissed. In Rhode Island, the Supreme Court said in a ruling that ‘the public nuisance claim should have been dismissed at the outset’ because the State cannot allege that the defendants’ conduct interfered with a public right or that the defendants were in control of lead pigment at the time it caused harm to children. Those decisions got the law and the facts right.

“As previously stated, defendants will file objections with the trial judge. If those are not accepted, we will file a motion for a new trial or mistrial, and if that is rejected we will appeal the Court's decision.”

For more information, please visit www.leadlawsuits.com, or the specific links below:

- Backgrounder: [Where the Court Went Wrong](#)
- Backgrounder: [A Brief History of Lead-based Paint](#)

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