



**FOR IMMEDIATE RELEASE: July 17, 2018**

Contact: Hilary Nemchik at

[hnemchik@sandiego.gov](mailto:hnemchik@sandiego.gov) or (619) 533-6176

## **San Diego Wins \$15 Million in Lead Paint Case**

*Funds will protect children and families from lead paint hazards*

City Attorney Mara W. Elliott announced today that San Diego will receive approximately \$15 million to settle a lawsuit filed against paint manufacturers that knowingly put toxic lead in their paint products long after its destructive health consequences were known.

The funds will be used to remove lead paint from homes in the City of San Diego. Though banned by the federal government decades ago, residual lead paint poisons tens of thousands of children across California each year.

The funds are part of a \$305 million settlement agreed to by The Sherwin-Williams Company, ConAgra Grocery Products Company, and NL Industries, Inc., to resolve litigation filed by ten jurisdictions, including the City Attorney of San Diego on behalf of the People of the State of California.

The manufacturing of lead paint was banned by the U.S. Consumer Products Safety Commission in 1978, but it remains in many older homes, often covered by layers of newer paint. It becomes a health hazard when it deteriorates and turns to dust. A tiny amount swallowed by a child can damage reproductive organs and result in a lifetime of learning difficulties, behavioral problems, and even death.

**“After years of litigation against big corporate interests, the lead paint industry will finally be held accountable for exposing tens of thousands of children to a toxic chemical that damages their central nervous systems and their ability to learn,”** City Attorney Mara W. Elliott said. **“This battle has only strengthened our resolve to seek justice for our community and hold accountable anyone who imperils the health and safety of our children.”**

The settlement allows the jurisdictions to access abatement funds without further delay, ends the threat of further litigation, and gives the jurisdictions greater flexibility to create more expansive, efficient, and effective clean-up programs tailored to the needs of their communities. The \$305 million paid by the defendants may be used to address lead hazards without the risk that any of the funds will revert back to the defendants.

The case was litigated on behalf of the People of the State of California by the County Counsels and City Attorneys of the County of Santa Clara, the County of Alameda, the City of Oakland, the City and County of San Francisco, the City of San Diego, the County of Los Angeles, the County of Monterey, the County of San Mateo, the County of Solano, and the County of Ventura. The County Counsel and City Attorney’s Offices litigated this case in collaboration with the law firms of Cotchett Pitre & McCarthy LLP, Motley Rice LLC, Mary Alexander & Associates PC, the Law Office of Peter Earle, and Altshuler Berzon LLP.

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**1200 Third Avenue, Suite 1620, San Diego, California 92101-4188 (619) 236-6220**

Chief Deputy City Attorney Mark Ankcorn and Deputy City Attorney Paul F. Prather represented the People of the State of California.

The case was handled by the San Diego City Attorney's Affirmative Civil Enforcement (ACE) Unit. The ACE Unit pursues public interest causes of action on behalf of the People of the State of California under the Unfair Competition Law, including consumer privacy, predatory lending, and unsafe and dangerous products. The ACE Unit enforces laws that protect consumers, employees, and the environment, and advocates for change when existing laws fall short. Through its own litigation and by collaborating with others inside and outside government, the ACE Unit protects public health and safety, restores environmental quality, and sustains economic vitality.

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