

Introducing Litigation Tracking in CoMeta!

- More than 150 complaints have been filed in U.S. courts alleging corporate defendants are responsible for introducing and spreading the deadly coronavirus, SARS-CoV-2, in the United States
- CoMeta's new litigation tracking feature is monitoring emerging SARS-CoV-2 litigation complaint-by-complaint
- Stay abreast of this fast-moving litigation event with trends in filed complaints and detailed case information on causes of action, targeted industries, and named defendants

Tracking casualty-relevant litigation in the United States

The novel coronavirus, SARS-CoV-2, has infected more than two million people in the United States and killed more than 120,000 since it first emerged in January of this year. Consumers, workers, businesses, and governments have filed hundreds of complaints in state and federal courts seeking to hold corporations liable for the introduction and spread of the virus. Thus far, the complaints are most numerous against cruise lines and nursing homes, where plaintiffs allege companies failed to warn cruise ship passengers, nursing home residents, and company employees of their potential exposure to SARS-CoV-2 and take action to limit its spread and protect them from infection. But many additional complaints making similar allegations have emerged against other corporate defendants including meat packers, restaurants, warehouses, retail establishments, and hospitals. In more than half of all complaints filed to date, plaintiffs seek damages for personal injury (emotional distress, illness, wrongful death). Plaintiffs also frequently seek compensation for economic harm or ask courts to impose injunctive remedies that will ensure the safety of consumers and workers as the pandemic unfolds.

CoMeta's new litigation tracking feature puts information about this fast-moving litigation event at your fingertips. We're monitoring state and federal court dockets for casualty-relevant SARS-CoV-2 complaints and then capturing the key features of those complaints including plaintiff, defendant, attorney, date filed, court, and cause of action. Complaints are limited to actions alleging defendants were negligent in introducing the virus to the United States, contributing to its spread, and failing to protect plaintiffs from the virus in commercial environments. We are also capturing shareholder actions alleging corporate officers breached their fiduciary duty during the pandemic. Litigation tracking does not include complaints filed by prisoners and detainees alleging unsafe conditions in prisons and detention facilities or complaints filed by insureds against insurance companies seeking coverage under their property damage or business interruption policies.

We are introducing the litigation tracking feature with coverage of SARS-CoV-2 related litigation, but we have built this feature so that it can be extended to other casualty-relevant litigation events in the near future. We will likely move first to cover litigation events that are already quite large but have an uncertain path ahead, like those related to per- and polyfluoroalkyl substances (PFAS). Our longer-run plan for the litigation tracking feature, though, is to capture casualty-relevant litigation in its earliest stages so that users can know

which of the hundreds of sources of potential litigation monitored by CoMeta have emerged as actual litigation events and then track how those litigation events unfold over time.

Litigation tracking concepts and features

Litigation tracking can be accessed by clicking on “SARS-CoV-2 Litigation Tracking” in the navigation pane (1) or by clicking on “Litigation Tracking” on the SARS-CoV-2 profile page or on a company profile page for named defendants.

LITIGATION TRACKING
SARS-CoV-2

Last updated: 17-Jun-2020

CASES
165
16-JUN-2020

PLAINTIFF EXPOSURE

Personal Injury	Consumer	Worker
98	94	50

COURTS

Federal	State
25	30

NAMED DEFENDANTS

Companies	Industries
135	26

Top companies

- Princess Cruise Lines LTD. (40)
- Carnival Corporation & PLC (9)
- Big Blue Healthcare Inc. (8)
- The Arbor Group (5)
- Celebrity Cruises Inc. (4)
- Ensign Facility Services, Inc. (4)
- Golden Oaks Healthcare, Inc. (4)

Case name | **Complaint filed** | **Court** | **Plaintiff type** | **Personal injury** | **Statutory violation**

Case name	Complaint filed	Court	Plaintiff type	Personal injury	Statutory violation
Hernandez et al v. VES McDonald's et al	16-Jun-2020	Superior Court of California, Alameda County	Worker	Yes	Employment
Goldtch et al v. Alphabet, Inc. et al	16-Jun-2020	District of Massachusetts	Adult	No	Consumer protection
Vickers et al v. Carnival Corporation & PLC	15-Jun-2020	Southern District of Georgia	Adult	Yes	None
Aberdeen v. The Port Authority of New York & New Jersey	15-Jun-2020	Hudson County Superior Court	Worker	Yes	None
Kaegi et al v. Andover Subacute Rehabilitation Center et al	13-Jun-2020	Superior Court of New Jersey, Sussex County	Adult	Yes	None
Wallace v. Symphony of Joliet	12-Jun-2020	Circuit Court of Will County, Illinois	Adult	Yes	None
Ingram v.	12-Jun-2020	District Court of Shelby	Adult	Yes	None

Litigation filters (2)

Litigation tracking allows users to filter complaints by Litigation agent (limited to SARS-CoV-2 with this release), defendant company, defendant industry, plaintiff attorney, and court. Both headline statistics and the table of cases will reflect these top-level litigation filter selections.

Headline statistics (3)

Statistics summarizing the selected set of complaints are presented at the top of the page. Statistics include:

- Cases: Total number of complaints filed; the date of the most recent complaint is also displayed.
- Plaintiff exposure: Number of complaints seeking compensation for personal injury (emotional distress, bodily injury, property damage); number of cases in which plaintiff is exposed as a consumer; number of cases in which plaintiff is exposed as a worker.
- Courts: Number of distinct federal and state courts in which complaints have been filed.
- Named defendants: Number of distinct companies that have been named in the selected complaints; number of distinct industries corresponding to named defendants.
- Top companies/industries/attorneys/courts: List of defendant companies, defendant industries, plaintiff attorneys, and courts corresponding to the selected complaints ordered by number of complaints.

Table of cases (4)

Cases corresponding to the top-level litigation filter selections are listed in a table. Each case lists the case name (this naming convention could deviate from court records), the date the complaint was filed, the court in which it was filed, the nature of the plaintiff filing the complaint (adult consumer, worker, business, public entity, non-governmental organization), whether the complaint seeks damages for personal injury, and whether the complaint alleges a consumer protection-, employment-, or securities-related statutory violation.

Case information (5)

Users can access more detailed information about each case by clicking on the case name. A case detail modal will open listing the case name, the case number, the court in which the complaint was filed, the date the complaint was filed, the name of the lead plaintiff, the name of the lead plaintiff attorney, the plaintiff type, the named defendants, the damages alleged (bodily injury, property damage, environmental, economic), the general and specific harm alleged (limited to lung injury/COVID-19 in this first release), whether the relief sought is compensatory or injunctive in nature, the type of statutory violation alleged (if any), and whether the complaint seeks to establish a class action.

A link to the original complaint document can be accessed by clicking on “Complaint.” An excerpt from the complaint or brief summary is also provided. The original complaint document may not be available in some cases.

At this time, litigation tracking is not systematically monitoring the status of each complaint. When we do learn that a complaint has been dismissed, we make note of it in the case detail modal (“Confirmed dismissal”). The court order corresponding to the dismissal might also be available. Motions are made available in some instances to provide further context for the complaint.

SARS-CoV-2 Litigation Tracker

qa.cometarsk.com/litigation-tracking/49842

COURTS

Federal	State
25	30

NAMED DEFENDANTS

Companies	Industries
135	26

Celebrity Cruises Inc. (4)
 Ensign Facility Services, Inc. (4)
 Golden Oaks Healthcare, Inc. (4)

Eaton v. Big Blue Healthcare Inc. et al

2:20-cv-02291

District of Kansas

COMPLAINT

Complaint filed: 11-JUN-2020

Lead plaintiff: Eaton

Attorney: Dallar Burns & Becker, L.L.C.

Plaintiff type: Adult

Defendant(s): Big Blue Healthcare Inc., Little Blue Health Holdings, LLC, The Ensign Group, Inc., Ensign Facility Services, Inc., Golden Oaks Healthcare, Inc.

Damages: Bodily injury

General/specific harm: Lung Injury/COVID-19

Relief type: Compensatory

Statutory violation: None

Class action: No

Complaint excerpt/summary: Defendant failed to properly protect the decedent from contracting COVID-19, resulting in his untimely and wrongful death.

Tags: nursing homes

Case name	Date	Court	Plaintiff type	Personal injury	Statutory violation
Hernandez et al v VES McDonald's				Yes	Employment
Goldfich et al v Alphabet, Inc. et al				No	Consumer protection
Vickers et al v Carnival Corpore				Yes	None
Aberton v The Port Authority New Jersey				Yes	None
Kang et al v Andover Subacute Center et al				Yes	None
Wallace v Symphony of Jello				Yes	None
Ingram v Bransford Skilled N				Yes	None
Pozorski et al v Motekule, Inc.				No	Consumer protection
Caughan et al v Detroit Medical Center Sinai-Grace Hospital et al	11-Jun-2020	Wayne County Circuit Court	Worker	No	Employment
Eaton v Big Blue Healthcare Inc. et al	11-Jun-2020	District of Kansas	Adult	No	None

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