

Features: a civil action novel

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In the award winning novel called, *A Civil Action*, there are several calculates that caused an outbreak of cancerous carcinogens in a small town called Woburn, Massachusetts. The two main companies who were liable were called Beatrice Foods and W. R. Grace. They faced a federal lawsuit from the residents of this community. One of the major litigation factors throughout the lawsuit that was the two companies neglected safety concerns for its residents. In other words, several families' children became terminally ill while others even perished as a result. By the latter part of the 1960's to 1980's, *A Civil Action*, elaborates the real circumstances of negligence in and outside the courtroom.

The award winning novel demonstrates victims of the residents of Woburn who suffered leukemia as well as other sicknesses that lead to massive lawsuits against Beatrice Foods and W. R. Grace that were held liable for deaths. Although the theories surrounding the lawsuit are about the two wells, an investigation discovers the two defendant companies as the culprits for the plague. During the proceeding, Jan Schlichtmann files a lawsuit for the liability of the two corporations for not winning the case. Schilchtmann, along with his legal counsel, becomes aware of the negligence throughout the story and entire legal process. Furthermore, by the companies operation in different states, it became a federal issue and not just a state lawsuit.

The most inspirational attorney, Jan Schilchtmann, earned his admiration among the legal community. Additionally, the novel examines his livelihood of success like no other books does. Jan Schilchtmann one day found his calling in his life in the legal profession. Hence, the novel helps educate the reader's intellectual background of the duties of lawyers, which are not just

cross examining witness, but the entire legal structure that is orchestrated in and outside the courtroom. The novel describes the procedure about how lawyers deal with these clients through the legal process about such a tragic event due to the negligence of the two companies in the late 1960's eruption until the 1980's.

In the early 1980's, over 4800 lawsuits was filed in Federal Court near the Boston area, with an arrangement of the federal judges who would hear the case. During the selection of judges, they selected a local judge from the town of Woburn, Massachusetts. Also, the name of the Woburn Judge was in fact Jay Skinner. Judge Skinner, at this time, was in his mid-50's and also endured medical issues yet was determined to walk up over two dozen flights of stair to reach his office to review the case. The judge has an impeccable reputation of making ethical decisions in cases; therefore, he was the best candidate to be selected to review the case. In addition to reviewing this case, Judge Skinner was aware of the leukemia outbreak in his town in the late 1960's.

One of the two defendants named in the law suited was Beatrice Foods retained legal counsel. The name of their lawyer was named Jerome Facher. His credentials involved being a director at a local Boston law firms' litigation department. Facher, who had many years of experience, also completed Harvard Law School and taught trial practice there. Beatrice Foods had a lot of confidence in their attorney that he could defend them in court of the allegations of the contamination of water plague that occurred in Woburn in the late 1960's. The other defendant named in the lawsuit was W. R. Grace is

retained legal counsel, William Cheeseman. Part of his credentials at his studies at Harvard was mathematics and physics. With those skills mentioned, William Cheeseman has the litigation skills to argue the inconsistencies for the contamination of water disaster that plagued Woburn in the 1960's. Their lawyer can bring the connections of the other defendant named in the lawsuit. His own investigation could place the blame on J. W. Grace's liability of dumping half a dozen drums of a toxic waste called Trichloroethylene near the water plant causing two wells to become tainted with such toxic chemicals. The EPA conducted their investigation for the barrels to be dug up to bring up the compelling scientific facts that a local Woburn company was in fact liable for the outbreak.

Finally, in a desperate attempt to clear their client's involvement in the case, Facher this caused a delay in the proceedings. Beatrice Foods' Attorney filed motions for over 23, 000 legal documents of transcripts. The Woburn polluted water epidemic that started in the late 1960's was about to reach jury selection in February of 1986. Both defendants argued their cases before a jury and Judge Jay Skinner would reach his decision of the case at a later time. The jury deliberated for over a week to make their decision and decided not to convict Beatrice Foods, but found the other defendant named in the lawsuit J. W. Grace guilty. As a result of the verdict, they agreed to payout over eight million dollars in damages. Despite of the verdict in the trial, the EPA suspected both parties were held liable for the water occurrence.

As a result of the late 1960's to 1980's scandal, the story of A Civil Action details the association of carelessness inside and outside the courtroom. One of J. W. Beatrice's attorneys filed for an appeal. Despite the verdicts, the EPA still found both parties guilty and ordered them to clean up the mess in the aftermath. To sum up, the damages were over 69 million dollars. Finally, Schlichtmann damages were so bad he had to file for Bankruptcy in the efforts of the cleanup. Untimely, J. W. Grace was indicted and convicted for lying to the EPA in his attempt to elude accountability for the disaster that plagued the water for the Woburn residents. A lesson to be learned from this novel is the practice of ethics should be applied to all principles of life.