

Johnson & Johnson Statement on the Supreme Court *Purdue* Decision

June 27, 2024 - Attributable to Erik Haas, Worldwide Vice President of Litigation, Johnson & Johnson:

“The *Purdue* opinion affirms the viability and validity of our consensual pre-packaged bankruptcy reorganization plan by unequivocally endorsing the propriety of third-party releases for asbestos-related bankruptcies. Both the majority and dissent agreed that Congress expressly conferred upon the bankruptcy courts the authority to extinguish asbestos-related claims against debtors and their affiliated third parties where—as we expect in our case—the requisite majority of claimants vote in favor of the reorganization plan.”

Contrary to the positions of the small and dwindling number of opposing plaintiffs’ law firms to our Plan, the Supreme Court rejected as irrelevant the rhetoric that bankruptcy should not be available for corporations facing mass tort liability, and nowhere in the extensive opinion did the Supreme Court suggest that a debtor facing asbestos mass tort liabilities demonstrate that it is in immediate “financial distress”. The *Purdue* decision, therefore, only serves to reinforce our confidence the talc claimants will approve, and the bankruptcy court will confirm, the proposed Plan.

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