

MASS TORTS IN A WORLD OF SETTLEMENT

by RICHARD A. NAGAREDA

"Richard Nagareda masterfully brings the world of tort law into the modern era. This book analyzes meticulously how far we have come from the formative account of a tort suit as a one-off, individual trial in which an injured party would typically seek compensation from a stranger encountered by chance. In its place, we have the statistical certainty of harm to unknown parties by products set adrift in the marketplace of mass society in which trials are few and claims administration becomes the norm. Nagareda introduces us to this complicated world of complex litigation and its inhabitants, from the entrepreneurial lawyers to the insurers, actuaries and epidemiologists, and to the lag between the real world of tort law and formal legal doctrine. An indispensable read for anyone interested in the real world of how injured individuals are compensated in mass American society."

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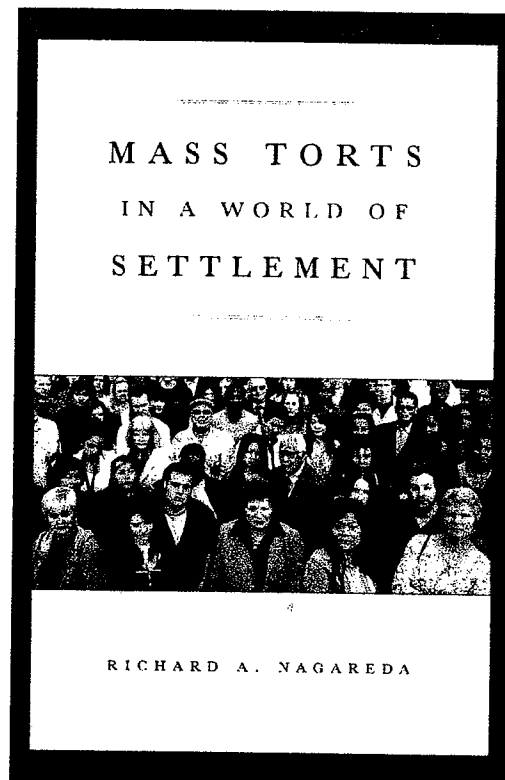
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"If there is any justice, Nagareda's new book will transform the long-running debate about how to think about, and then to reform, mass torts. Building on his own earlier work and that of many other scholars, he maps the field and then provides a deeply informed, clear-eyed analysis of its underlying litigation and settlement dynamics and the very serious problem that they create: a divergence between the goal of justice for present and future victims and their lawyers' incentive. Most important, he offers an ingenious and attractive public law solution to what he properly sees as a public law problem—and shows us how to achieve it. *Mass Torts in a World of Settlement* is required reading for scholars in the field."

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Richard A. Nagareda is professor of law at Vanderbilt University Law School, where he holds the Tarkington Chair in Teaching Excellence and is the director of the Cecil D. Branstetter Litigation & Dispute Resolution Program.



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