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Concurrent Session: Affirmative Litigation

Affirmative Litigation: Trends, Innovation & Opportunities

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Executive Summary

Affirmative Litigation by Public Sector Entities (PSE) is increasingly important:

- **Multi-million-dollar** revenues to PSE
- Access to justice for all citizens
- Remediates and resolves community harms
- Several subject matters of litigation
- Powerful tool for PSE lawyers, PSE law firms, and clients
- Settlements/Judgments of high value matters, years of impact

Trends & Subject Areas

Scope	Subject Areas	Litigation Cost
90,000 U.S. PSEs ➢ 35,000 cities, 3,000 counties, and 52,000 special districts with over **$10B PSE legal spend.** ➢ Law firms assisting PSEs spend hundreds of millions of dollars in fees representing PSEs	Nuisance Environmental ❖ PFOS/PFAS Antitrust Consumer Protection Data Breach/Privacy False Claims Act Drug Price Fixing Opioids; JUUL/Vaping Insurance Recoveries Disaster Claims	PSE budgets balanced every year, and with revenue shortfalls PSEs dramatically increasing affirmative litigation Funding gap

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