



Statement Regarding State Court of Cobb County’s Dismissal of Claims Against Sterigenics Defendants in Alexander vs. Sterigenics, ConMed et al

On June 15, 2022, the State Court of Cobb County, Georgia dismissed all claims against Sterigenics, Sotera Health and related defendants (the “Sterigenics Defendants”) in the lawsuit brought by a group of employees of a Sterigenics EO sterilization customer alleging various injuries resulting from occupational exposure to sterilized products containing residual EO. The court dismissed the claims, finding that:

- Plaintiffs failed to allege that the Sterigenics Defendants owed and breached a legal duty under Georgia law where Sterigenics does not owe a duty to the general public to perform contract sterilization services in a certain way and does not owe a duty to warn or take action to protect the employees of another company who work in the other company’s facility.
- Sterigenics’ contract sterilization services are performed according to FDA-approved and validated processes, dictated by Sterigenics’ customers. Thus, federal law preempts plaintiffs’ state law claims that Sterigenics should have reduced residual EO by using different sterilization procedures and breached a duty by performing EO sterilization. instead of an alternative sterilization modality.

The full order from the State Court of Cobb County can be found here: <https://peachcourt.com>