



# Science and Litigation: Products Liability in Theory and Practice

*Terrence F. Kiely*

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The question "what is science" has been one of the most vigorously contested legal questions as to what is legally acceptable scientific foundation for the submission of expert opinion in a wide variety of cases, especially in products liability cases. The answer usually lies in the outcomes of past cases as well as objective scientific literature. But how do we relate past decisions to biotechnology, bioinformatics, in-silico biology, genome mapping, and other new scientific developments? And just how valid are peer-reviewed studies when they are performed in house or funded by companies with a stake in the product?

Science and Litigation: Products Liability in Theory and Practice addresses these and many other questions involving the relationship between the physical and biological sciences and the civil justice system. First, it reviews scientific legal theory by highlighting landmark cases, analyzing the scientific peer-review process, and examining the relationship between scientific causal theory and legal causation rules. Then the book addresses the practical issues involved in prosecuting or defending the science-based case, from pretrial discovery to choosing an expert witness.

Products liability litigation can be a long and arduous task for everyone involved. This practical guide makes it a little easier. Taking you from research to courtroom, Science and Litigation: Products Liability in Theory and Practice provides information about the admissibility of scientific ideas and leads both expert witness and attorney through the necessary steps to be successful in litigation.

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