



Sterigenics Phase One Summary Judgment in Georgia Frequently Asked Questions

Q. What do the Phases mean? What is the difference between Phase One and Phase Two?

- The personal injury cases pending in Cobb County, Georgia are governed by case management orders under which Phase One addressed general causation issues for a pool of eight cases and Phase Two addressed specific causation issues for three “bellwether” cases that were selected by plaintiffs from the pool of eight cases.

- **Phase One (General Causation):**
 - The Court outlined the “Phase One” general causation issue as follows:
 - “Plaintiffs must prove that exposure to EtO emission [from Sterigenics’ Atlanta facility] is capable of causing the harm that Plaintiffs allege.” (*March 29, 2023 Order*)

 - The Court required plaintiffs to demonstrate “the levels of exposure that are hazardous to human beings generally.” (*March 29, 2023 Order*)

 - After Sterigenics moved to exclude the plaintiffs’ general causation experts and for summary judgment, the Court issued its initial Phase One orders on November 22, 2024. Both parties appealed those orders. On October 31, 2025 the Georgia Court of Appeals ruled that the trial court applied the wrong legal standard in the Phase One proceedings, vacated the trial court’s initial Phase One orders, and sent the pool cases back to the trial court with instructions to apply the correct standard – which was the one proposed by Sterigenics – to Sterigenics’ motions to exclude plaintiffs’ general causation experts.

 - On remand, on March 30, 2026, the Court, applying that correct standard, excluded plaintiffs’ three general causation experts and granted summary judgment for Sterigenics in the five personal injury pool cases.

- **Phase Two (Specific Causation):**

- The Court outlined the “Phase Two” specific causation issue as follows:
 - “Were Plaintiffs exposed to levels of Sterigenics-related EtO above background and was that dose sufficient to cause their specific harm?”
(*October 17, 2025 Order on Parties’ 702 Motions to Exclude Experts & Sterigenics’ Motion for Summary Judgment*)
- After Sterigenics moved to exclude the plaintiffs’ specific causation experts and for summary judgment, the Court issued its Phase Two orders on October 17, 2025, excluding Plaintiffs’ key expert testimony and granting summary judgment for Sterigenics in the three “bellwether” pool cases. The Court held that plaintiffs must have admissible expert evidence to prove specific causation and found critical aspects of their expert opinions inadmissible. The Court also found that plaintiffs failed to present evidence that the facility’s emissions constituted a nuisance under Georgia law and therefore granted summary judgment for Sterigenics.
- The three “bellwether” pool plaintiffs appealed the Phase Two orders, and those appeals remain pending.

Q. Does this ruling only apply to five cases? What does this mean for the other approximately 450 cases pending in Cobb County?

- The Phase One ruling resolves the five pool cases that had not proceeded to Phase Two. The applicability of this order to the remaining personal injury cases pending in Cobb County will be determined by the Court in due course.
- Although the order applies directly to the five Phase One pool cases, the Court’s rejection of plaintiffs’ general causation theories is a critical issue common to all of the personal injury cases. We believe that this order underscores the lack of reliable scientific support for those remaining claims and that this analysis may inform how the remaining cases are evaluated.

Q. Can the Phase One decision be appealed? If so, what is the timing for an appeal? What is the likelihood that this judgment will be overturned?

- Yes. Plaintiffs have the right to appeal the Court’s Phase One order.
- Under Georgia law, a notice of appeal generally must be filed within 30 days of the entry of a final order. While any appeal will be considered by the appellate court in due course, we believe the trial court’s decision is well-reasoned and supported by evidence.



Q. How does the Phase One order affect Phase Two?

- The Court’s Phase One order has no direct impact on the trial court’s October 17, 2025 Phase Two orders and judgments for Sterigenics in three “bellwether” pool cases.
- Those three cases remain dismissed pending appeal.

Q. What implications will this Phase One order have on litigation in other jurisdictions?

- This decision applies to specific cases pending in Cobb County, Georgia, and is not binding on courts in other jurisdictions.
- However, the Court’s analysis on general causation may be considered by other courts addressing similar issues.
- We believe the order reflects a careful evaluation of the scientific evidence and may be informative and persuasive in other cases, although each court will ultimately decide matters based on its own record and applicable law.

Q. Where can I find more information regarding the Phase One and Phase Two decisions?

- Related information may be found [Phase One Decision, GA Litigation, Nov. 2024](#) and [CEO Commentary on GA Litigation, Nov. 2025](#)
- For developments related to ethylene oxide, updates can be found at [Ethylene Oxide | Sotera Health](#)