

COURT GRANTS PLAINTIFFS' MOTION TO REMAND IN HEALD et al. v. H-E-B, REMANDING CASE TO STATE COURT

Hilliard Law celebrates a significant victory as United States District Judge Robin L. Rosenberg granted Plaintiffs' motion to remand.

CORPUS CHRISTI, TX, UNITED STATES, July 3, 2023 /EINPresswire.com/ -- [Hilliard Law](#) celebrates a significant victory as United States District Judge Robin L. Rosenberg granted Plaintiffs' motion to remand in the case of Heald et al. v. H-E-B, thereby remanding the case back to the state court. This decision represents a crucial step forward in seeking justice for the plaintiffs and upholding their rights.

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This outcome reaffirms our belief that the state court system is the appropriate venue to seek justice for our clients.”

Kate D'Aunno-Buchanan, lead attorney from Hilliard Law

At the center of this case is a molecule known as ranitidine, commonly known as Zantac, a medication that alleviates heartburn. The plaintiffs allege that ranitidine is defective –

noting that while the medication alleviates heartburn, it also promotes cancer growth. In this suit, Plaintiff names the manufacturers and retailers who profited from the sale of ranitidine, asserting numerous causes of action against various defendants. However, this particular motion ultimately turns upon a single claim: a claim for ordinary negligence against the Defendant, H-E-B, which operated as a retailer and sold ranitidine to the public.

This case was initially filed in Texas state court, but defendants removed this case to federal court, claiming that under the doctrine of fraudulent joinder, no possibility existed that the Texas-based defendants could be found liable for the sale of ranitidine, and, as such, the plaintiff's allegations against HEB are precluded by the Texas “innocent” seller statute.

Plaintiffs disagreed, asserting that the claims should be adjudicated in state court. Ranitidine, produces a cancer-causing compound, NDMA, when subjected to temperatures higher than room temperature. As such, a state cause of action may exist where retailer defendants such as H-E-B negligently stored and transported ranitidine, exposing the molecules to high temperature, plaintiffs alleged.

Upon careful consideration of the arguments presented, the United States District Court for the

Southern District of Florida agreed, holding that the case is best suited for resolution in the state court system. The order remanding the case demonstrates the court's recognition of the importance of state jurisdiction and the plaintiffs right to pursue their claims in the appropriate forum.

"We are pleased with the court's ruling to grant our motion to remand," said Kate D'Aunno-Buchanan, lead attorney from Hilliard Law. "This outcome reaffirms our belief that the state court system is the appropriate venue to seek justice for our clients."

CASE INFORMATION: Maria Heald et al vs. HEB LP et al. 136th Judicial District Court of Jefferson County Texas, No. D-0209468

About Hilliard Law:

Hilliard Law, formerly Hilliard Martinez Gonzales LLP (HMG), is a nationally renowned law firm based in Corpus Christi, TX. With a history of success in personal injury and mass tort litigation, Hilliard Law is committed to providing aggressive representation and seeking justice for its clients. Bob Hilliard, owner and founding partner, has led Hilliard Law to the forefront of national trial law firms. Having tried over 150 jury trials, Mr. Hilliard is also a two-time winner of the National Law Journal's prestigious Elite Trial Lawyer of the Year award for product liability and motor vehicles and has been recognized as a Super Lawyer for the past 20 years. Mr. Hilliard is double board certified and recognized as one of the top 100 trial lawyers in the United States. In the past year, Hilliard Law's 40-lawyer firm has already secured over 100 million dollars in verdicts and settlements. For more information, visit www.hilliard-law.com.

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