

**Written Testimony of
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Before the Committee on the Judiciary

Subcommittee on Federal Courts, Oversight, Agency Action, and Federal Rights

United States Senate

**“Abusing Chapter 11: Corporate Efforts to Side-Step Accountability Through
Bankruptcy”**

February 8th, 2022

Chairman Whitehouse, Ranking Member Kennedy, Members of the Subcommittee, my name is Kimberly Naranjo, and I'm here to ask for your help in preserving my constitutional right and the rights of so many others to pursue accountability in our courts.

I have been diagnosed with mesothelioma, which is a terminal cancer that is only caused by one thing – exposure to asbestos. I was given 12-16 months of life which puts my expiration date at March of 2023, 1 month before my 50th birthday. I am a single mother, with 2 of my 7 children still under the age of 18, Angelica, my 14-year-old daughter who has been diagnosed with autism and Jayce, my son who is 9. I would like to share my story with you.

I was born into dysfunction. My biological mother was deep in her disease of addiction, and I experienced horrific abuse. I was in and out of foster care, passed around from family members, and on my own since age 15.

As a result of the trauma and abuse I experienced during my early years, family, being a good mother, and having stability was all I dreamed about. At the age of 19, I became pregnant with my oldest daughter Maria and gave birth to four additional daughters, Adrianna, Monaliza, Faviola, and Karina over the next 6 years. I wanted to be a good mom, something that I didn't have until my Aunt Cathy who never gave up on me, took me in, and later adopted me as an adult. She has supported me my whole life and is here supporting me today. All the good morals and values I possess were instilled by her.

Although I did my best at being a good mother, the unhealthy behavior patterns that I had been exposed to in my early years started to manifest in my life. I needed to do something to stop the cycle. My adopted mom permanently took over caring for my children, and I attended a residential treatment program where I lived for 13 months. I am proud to say that next month I will celebrate 15 years of sobriety.

After completing treatment, I gained enough skills to become a productive member of society. I decided that I wanted to get an education and dedicate the rest of my life to helping others overcome hardships. I graduated with highest honors with my Associate's Degree in Alcohol and Drug Counseling. I started working as an addiction counselor. I have dedicated the last 7 years of my life helping and advocating for others. I didn't want to stop there; I continued my education at BYU– Idaho working towards a Bachelor's Degree in Marriage and Family Studies. My goal was to get my Master's Degree in Social Work.

I have worked really hard to break the cycle for my children who I am blessed to have a wonderful relationship with today. Since my disease of addiction has been in remission, I have been an active and supporting participant in all their lives.

Throughout my life I have never lived in one residence longer than two years, and I wanted that to change. Last year, I purchased my first home, my forever home. I was also hired at my dream job, working for the Salt Lake County Sheriff's Office as an addiction counselor.

Three days into working at the Sherriff's Department, I felt a pain in my side. The next week I was diagnosed with mesothelioma. It all happened so fast. One week I was enjoying my forever home, eating with my mom and children, and playing with my grandsons. The next week I was I was given an aggressive treatment plan in hopes to extend my life by a few months.

Unfortunately, I was no longer able to work. With no income, I was unable to pay my mortgage and forced to sell my forever home. I then had to sit down with my children and grandchildren to let them know that I am going to be leaving my body. That was a really hard day. My oldest daughter Maria is 28 years old and a single mother. She is going to raise my two youngest children after my death.

After spending hours going over every place I've ever lived or worked, it was determined that the only way I was exposed to asbestos was from Johnson and Johnson's Baby Powder. Instead of

protecting my children as advertised by Johnson and Johnson, I had no idea I was exposing them and myself to the deadly asbestos inside that white plastic bottle I associated with motherly love.

When I learned that I could file a lawsuit and have it decided by a jury, I saw a path forward for my family. There was a way that my children could be taken care of, monetarily, as if I lived. I was less scared knowing that even though I can't control the fact that I am dying, I could use my constitutional right and be heard in a court of law. I knew that justice would take care of my family. I was filled with hope. That hope was also taken from me.

I learned that Johnson and Johnson filed for bankruptcy and that I would not receive a court date. I didn't understand. Johnson and Johnson is a really big and thriving company. How could they be bankrupt? I learned that Johnson and Johnson took advantage of a loophole, where they made a new company and put all their responsibilities related to Johnson and Johnson's Baby Powder into that company, then filed bankruptcy, and now everything has stopped, except for the progression of my cancer.

I have accepted the fact that I do not have much time left. I even held a living memorial where I gave all my friends an opportunity to say goodbye. I made parting gifts. When I graduated from residential treatment for my addiction, I was given a large, framed poem titled "Do Not Quit". This has been my motto. I took a picture of me standing next to the poem and pointing to the title. I made wallet sized copies, put it in a mesh bag along with a little guardian angel key chain and handed them out to everyone who came to celebrate my life with me.

I don't have much time left, but I will not quit. Even though I am in pain every day I get up and do my best to make a difference in the world. I have even made myself a sticker chore chart, giving myself a star for taking a shower, walking my son to the bus stop, and cooking. I will not quit, no matter how tough this gets. It took every ounce of strength for me to be here before you today, but I am here today

because I am a voice for the thousands of people that Johnson & Johnson harmed, and we have a right to be heard. I am so grateful that you have listened to me, I wish that Johnson and Johnson would listen too, but they took away that right from me and thousands of other people who have their own stories, families, and lives that also deserve a right to be heard by a jury.

Thank you again for you time and attention, I am truly grateful.