

# Weitz and Luxenberg – \$12.5M Verdict for Three New York Construction Workers

NEW YORK CITY, N.Y., March 19, 2014 (SEND2PRESS NEWSWIRE) – A four-month legal battle ended this week in victory for the families of three New York area workers stricken by [mesothelioma](#), a rare cancer caused by asbestos exposure. The verdict, announced Tuesday by a New York Supreme Court jury, brings closure to the fight for justice of three workers unwittingly exposed to toxic materials on the job. [Weitz & Luxenberg](#) filed suit (Index #190441-12, #190415-12, #190403-12, NY Sup. Court) more than a year ago on behalf of three men – an electrician, a steamfitter, and an insulator – who got cancer working with and around asbestos-contaminated materials.

This week, the jury returned a verdict, awarding \$12.5 million dollars in damages to Weitz & Luxenberg's clients.

Weitz & Luxenberg's trial team of Danny Kraft Jr., Mike Fanelli, and Phan Alvarado selected a jury in November. For more than four months, the firm's trial team presented evidence that its clients were harmed – and ultimately killed – by working with asbestos-tainted products manufactured and used by the defendant corporations. The evidence ultimately swayed jurors to hold for the victims.

"This case was tragic," Kraft said. "Every time I meet with our clients, invariably they have been exposed to asbestos without their knowledge and with grave consequences. All we can do to help is fight in the courtroom for their interests as hard as we can, and hold accountable the corporations who exposed them."

Harry Brown worked in the 50s and 60s building Con Edison power houses as a member of the Heat and Frost Insulators Local 12 Union. The verdict found Con Edison 30 percent responsible and awarded Brown's estate \$3.5 million.

Patrick McCloskey was a career steamfitter and part of the Steamfitters Local 638 Union. He was present when asbestos fireproofing spray was applied during the original construction of the World Trade Center. Mario & DiBono, the company that applied the asbestos spray, was found 25 percent responsible and held to have acted with reckless disregard for the safety of those working at the site. McCloskey's estate was awarded \$6 million.

Carl Terry was an electrician with the International Brotherhood of Electrical Workers Local 1 Union. He worked at job sites throughout New York. Eaton/Cutler Hammer, which made asbestos-containing electrical components, was held 15 percent responsible for the \$3 million awarded to the Terry estate.

The Port Authority of New York and New Jersey, which owned the World Trade

Center site, and its general contractor/agent, Tishman Realty and Construction, were found not liable in the Brown and McCloskey cases. Mario & DiBono was found not liable in the Brown case. Con Edison was found not liable in the McCloskey case.

The case was presided over by Judge Barbara Jaffe.

#### **About Weitz & Luxenberg:**

Founded in 1986 by attorneys Perry Weitz and Arthur Luxenberg, Weitz & Luxenberg, P.C., today ranks among the nation's leading law firms. Weitz & Luxenberg's numerous litigation areas include: mesothelioma, defective medicine and devices, environmental pollutants, accidents, personal injury, and medical malpractice. Victims of accidents are invited to rely on Weitz & Luxenberg's more than 25 years of experience handling such cases. You can contact the firm's Client Relations department at 800-476-6070 or at [clientrelations@weitzlux.com](mailto:clientrelations@weitzlux.com).

More information: <http://www.weitzlux.com/>.

News issued by: Weitz and Luxenberg P.C.



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Original Story ID: 2014-03-0319-003 (9317) :: Weitz-and-Luxenberg-12-5M-Verdict-for-Three-New-York-Construction-Workers\_2014-03-0319-003

Original Keywords: Weitz and Luxenberg P.C., Steamfitters Local 638 Union, Danny Kraft Jr., Mike Fanelli, and Phan Alvarado, International Brotherhood of Electrical Workers Local 1 Union, New York Supreme Court jury, cancer caused by asbestos exposure Weitz and

Luxenberg P.C. New York City New York NEW YORK CITY, N.Y.

Alternate Headline: Weitz & Luxenberg announce \$12M verdict for men who got cancer working with and around asbestos-contaminated materials

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Original Shortcode for Story: <http://i.send2press.com/yKTux>