

## **COURTROOM NEWS from HarrisMartin's COLUMNS-Asbestos**

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### **Jury Finds for CertainTeed and GP, Enters \$2 Million Verdict Against Bondex**

SPRINGFIELD, Ill. — A jury has entered a verdict of \$2 million against Bondex, but found for defendants CertainTeed Corp. and Georgia-Pacific in a case filed by a man who claimed to have been exposed to asbestos while performing home repairs and side jobs. *Willis, et al. v. 84 Lumber Co., et al.*, No. 07-L-0327 (Ill. 7th Jud. Cir. Ct., Sangamon Cty.).

The Illinois Seventh Judicial Circuit Court for Sangamon County jury reached the verdict on Aug. 13, sources told HarrisMartin. Judge Peter Cavanagh presided over the trial.

The claims were asserted by William and Sharon Willis, who claimed that William's side work conducted home construction and repair jobs beginning in the 1960s and continuing until the 1980s. During these projects, Willis alleged to have worked with Bondex and Georgia-Pacific joint compound and CertainTeed pipe.

The defendants argued during trial, however, that Willis had not properly identified their products and that the product did not produce a level of asbestos sufficient enough to cause Willis' injury. The defendants also disputed Willis' diagnosis and claimed they were not negligent.

The jury entered a verdict of \$2 million against Bondex, but found that neither CertainTeed nor Georgia-Pacific owed liability to the plaintiffs.

The jury broke the award against Bondex into \$250,000 for loss of normal life, \$1 million for pain and suffering, \$250,000 for emotional distress and \$500,000 to Sharon Willis for loss of consortium.

Sources told HarrisMartin that set-offs of an estimated \$1.4 million will be applied against the verdict.

Testifying on behalf of the plaintiffs were Eugene Mark, M.D., pathology and Arnold Brody, M.D., cellular biology.

Testifying on behalf of Georgia-Pacific were Morton Corn, Ph.D., industrial hygiene and state-of-the-art; Kim Anderson, Ph.D., toxicology; Mark Wick, M.D., pathology; Gerald Kerby, M.D., pulmonology; and Charles Weaver, Ph.D., neuroscience and psychology.

Testifying on behalf of CertainTeed were John Craighead, M.D., pathology; and Robert Spence, industrial hygiene.

Bondex also called Kim Anderson and Mark Wick to testify on its behalf.

Counsel for the plaintiffs were Troyce G. Wolf, B. Scott Kruka and Julie L. Celum of Waters & Kraus in Dallas and Jack D. Davis of the Davis Law Offices in Springfield, Ill.

Bondex was represented by T. Lynn Walden of Jenkins Martin in Beaumont, Texas and Drew Schilling of Heyl Royster in Rockford, Ill.

Georgia-Pacific was represented by Jeffrey S. Hebrank and Brian J. Huelsmann of HeplerBroom in Edwardsville, Ill., Michael W. Drumke of the firm's Chicago office and Stephen R. Kaufmann of the firm's Springfield, Ill. office.

CertainTeed was represented by Kent Plotner and Matthew Morris of Heyl Royster in Edwardsville, Ill.

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