

Defense Verdict in Wrongful Death Chemical Exposure Case in Philadelphia

Tim Gray recently obtained a defense verdict for a Forman Watkins client in Philadelphia, Pennsylvania. Plaintiff alleged that her deceased husband's aplastic anemia was caused by exposure to benzene and that the aplastic anemia caused his death. The claim against Forman Watkins' client was that it supplied a chemical that contained benzene to a manufacturer who incorporated that chemical into its product that the plaintiff's husband allegedly used.

Tim Gray served as co lead counsel for the 3 week trial in Philadelphia. Through presentation and cross examination of experts, Tim contended that although benzene can cause aplastic anemia, in this case the alleged exposures were too low to have caused the disease. Tim also presented evidence that the decedent had taken medications associated with aplastic anemia and that in any event, his death was caused by a heart condition, cardiac amyloidosis, first discovered at autopsy.

Other evidence presented at trial established that the client's warnings about the risk of aplastic anemia to its customers were adequate.

After a 3 week trial the jury quickly returned a defense verdict, answering "no" to the first question on the verdict sheet about whether the decedent's aplastic anemia was caused by benzene.