

Fred Krutz, Brian Hannula, and Andrew Stubbs Obtain Second Consecutive Summary Judgment in West Virginia

Forman Watkins & Krutz attorneys Fred Krutz, Brian Hannula, and Andrew Stubbs obtained their second consecutive summary judgment win in 2021 in West Virginia on behalf of a respirator manufacturer. The lawsuit was pending in the United States District Court for the Northern District of West Virginia. Plaintiff alleged that the respirator defendants' products were defective, causing him to develop coal workers pneumoconiosis. Through document analysis and plaintiff's deposition, the team developed the proof necessary to establish that plaintiff was aware of his alleged lung injuries several years before filing his lawsuit. The team then filed a motion for summary judgment arguing plaintiff's claims were time-barred by the applicable statute of limitations. The District Court agreed and granted the Motion. With this recent victory, the team has now achieved dismissals in state and federal court in West Virginia.