

***Linda F. Weaver, et al. v. Vanderbilt Minerals LLC, et al; 2025 LexisNexis
Jury Verdicts & Settlements 221***

EFCV-22-164221

Aug. 28, 2025

Headline: N.Y. Jury Awards \$12.25M In Environmental **Asbestos** Case Against Vanderbilt

Result: \$12.25 million plaintiff verdict (\$4.5 million for pain and suffering and \$7.75 million in punitive damages)

Injury: Mesothelioma and death

Court: N.Y. Sup., St. Lawrence Co.

Judge: Paul E. Davenport (justice)

Plaintiff Profile

Linda Weaver

Defendant Profile

Vanderbilt Minerals LLC

Plaintiff Counsel

Sam Iola, Iola Gross & Forbes-King, Dallas; Seth Dymond and Demetrious Zacharopoulos, Bulluck Law LLP, New York

Defendant Counsel

Erik DiMarco, Gordon Rees Scully Mansukhani LLP, New York

Case Summary

Claim: Negligence

Background: Anna Bishop filed suit in the St. Lawrence County, N.Y., Supreme Court in December 2022 alleging environmental exposure to **asbestos** when she lived in the vicinity of Vanderbilt Minerals LLC's talc mine in upstate New York. Bishop lived in Balmat, N.Y., less than a mile from the Vanderbilt mine from 1964 to 1984. The mine was closed in 2008.

Bishop died from mesothelioma in January 2023 at age 78 and was replaced as plaintiff by her daughter Linda Weaver. Weaver added a wrongful death claim.

Various actions left only the negligence and punitive damages claims. Vanderbilt moved for summary judgment.

Justice Paul E. Davenport denied the motion on July 29, 2025, according to court documents. Justice Davenport said Vanderbilt had not met its initial burden of proof. But even if it had, Weaver's answering papers and experts Mark Bailey, Jerold Abraham, Murray Finkelstein and James S. Webber create material issues regarding Vanderbilt's milling practices and whether they contributed to Bishop's mesothelioma and death, Justice Davenport said.

On Aug. 1, 2025, Vanderbilt filed a notice of appeal to the Third Department of the New York Supreme Court Appellate Division, according to the court's docket.

The case proceeded to trial against Vanderbilt alone.

Other: The jury issued its verdict on Aug. 28, 2025.

After four weeks of trial, the jury awarded \$4.5 million for pain and suffering and \$7.75 million in punitive damages.

Sources told Mealey's Publications the verdict is believed to be the first successful verdict in the United States alleging environmental exposure to asbestos and the largest asbestos verdict from a jury in St. Lawrence County.

Plaintiff Expert(s)

Mark Bailey, Jerold Abraham, Murray Finkelstein and James S. Webber

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