

Marcella v. Huntington Ingalls; 2026 LA JURY VERDICTS & SETT. LEXIS 16

2:24-780

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Topic: Workplace Negligence - The plaintiff (age 81) was diagnosed in 2023 with asbestos-related cancer and died three months later, a post-mortem lung extraction confirming it was mesothelioma -- the plaintiff (representing the decedent's wife and children) sued the successor company to the Avondale Shipyards where the plaintiff had worked from 1962 to 1964 -- the jury found the successor at fault (rejecting apportionment to several third-party defendants) and awarded the plaintiff general damages of \$ 6.625 million.

Result: Verdict: \$ 6,625,000 for plaintiff.

Award: 6625000

Practice Area: Civil Procedure; Environmental Law; Governments; Torts

State: Louisiana

Court: New Orleans

Judge: Barry W. Ashe

Plaintiff Counsel

David R. Canella, Christopher C. Colley and Kristopher L. Thompson, Baron & Budd, Baton Rouge.

Defendant Counsel

Gus A. Fritchie, III, David M. Melancon, Douglas J. Moore and M. Kevin Powell, Irwin Fritchie Urquhart Moore & Daniels, New Orleans.

Case Summary

The Avondale Shipyards was a powerhouse in manufacturing in Louisiana for a generation. The huge facility in Bridge City, some twenty miles upstream from New Orleans, constructed massive ships for both military and commercial purposes. At its zenith there were 26,000 persons working at Avondale. By the time the shipyards closed in 2014, it was operated by a successor corporation, Huntington Ingalls.

Ronald Marcella worked at the shipyards from 1962 to 1964. He was a clerk in the production department. His job required him to traverse the shipyard and in that process, he was exposed to asbestos fibers that were created by craftsmen who cut, sawed, manipulated and disturbed asbestos-containing products. There was no proof Marcella had any other exposure to asbestos beyond his tenure at Avondale.

Moving forward almost fifty years, Marcella, now age 81, was diagnosed with lung cancer. It was asbestos-related mesothelioma. Marcella succumbed to the disease three months later. A post-mortem lung extraction performed by Dr. Brent Staggs, Little Rock, AR, confirmed it was mesothelioma.

Marcella's family, representing his wife and adult children, filed this lawsuit in Orleans Parish against Huntington Ingalls. The plaintiff pursued a single negligence claim against Marcella's former employer regarding the asbestos exposure. The plaintiff's experts beyond Staggs included Gerald Markowitz, a professor with an expertise in asbestos history, New York, NY and Jerome Spear, Industrial Hygiene. If the plaintiff prevailed at trial, the jury could award general damages for Marcella's pain and suffering.

Huntington Ingalls removed the case to federal court. The company denied it was negligent and noted asbestos was a required product at relevant times in shipbuilding. The company also sought to apportion fault to several non-parties. The company also brought in several parties as third-party defendants for purposes of contribution. Those defendants were potential sources of Marcella's exposure while working at Avondale. They were Uniroyal, Foster Wheeler, General Electric, Paramount Global and Bayer CropScience.

There was a legion of lawyers representing the third-party defendants. They were:

Autumn Smith, Forman Watkins & Kurtz, Jackson fur Uniroyal, John J. Hainkel, III, Frilot, LLC, New Orleans for Foster Wheeler, Thomas A. Bickers, Paine Tarwater Bickers, Knoxville, TN For General Electric

Lawrence D. Wilson, Evert Weathersby & Houff, Atlanta, GA for Paramount Global

McGready L. Richardson, Pugh Accardo, New Orleans for Bayer CropScience, and Thomas P. Smith, Forman Watkins & Kurtz, New Orleans for International Paper. The plaintiff did not pursue an independent claim against these third-party defendants and argued that Huntington Ingalls was the sole responsible defendant.

This case was tried eight days (over two weeks) in New Orleans. The jury deliberations lasted a relatively quick 80 minutes on a Wednesday afternoon.. The jury answered first on causation that Marcella was exposed to asbestos while working at Avondale that was a contributing cause of his mesothelioma. The jury separately answered that Huntington Ingalls was negligent.

The jury also rejected finding any of the eight third-party defendants and/or settled parties were negligent or strictly liable. Thus Huntington Ingalls was determined to be solely at fault. Finally the jury considered a single line for the plaintiff's general damages. The award was \$ 6,625,000. A consistent judgment was entered by the court.

Huntington Ingalls has since moved for a new trial and separately for remittitur. It argued the case failed on causation and that even if it had met the standard of care as proposed by the plaintiff, Marcella would have still suffered an injury as the proof was there is no safe level of asbestos exposure.

The defense also argued the verdict was "vastly higher" than the highest reasonable amount and noted Marcella died three months after his diagnosis. During the period he had symptoms, moreover, his pain came and went, and was otherwise minimized. Moreover the general damages had to be considered in light of his advanced age and moderate dementia. Huntington Ingalls was also critical of the plaintiff's counsel suggesting a non-economic damage award of \$ 15.5 million in closing arguments, essentially vouching that such a result was a fair result.

The plaintiff has also moved for pre- and post-judgment interest. It quantified that sum at \$ 1.125 million. The motions are all pending.

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