



Publications

"NON-TRADITIONAL ASBESTOS LITIGATION: NEW PRODUCTS AND INDUSTRIES IN THE CROSSHAIRS," MEALEY'S LITIGATION REPORT: ASBESTOS

"Although there is no evidence that traditional asbestos cases are on the decline, plaintiffs' attorneys are constantly looking for the next set of solvent defendants and a theory under which to pursue them. Because of the geological connection between talc and asbestos, the next target may not be found on jobsites, but in medicine cabinets," write Susan E. Van Gelder, Co-Chair of Goldberg Segalla's Toxic Torts Practice Group, and Arlow M. Linton, an attorney in firm's General Liability Practice Group.

In their article, Susan and Arlow explain that since the 1980s, when most asbestos-containing product manufacturers went bankrupt, plaintiffs' firms have looked for new targets and shifted their focus to suppliers and equipment manufacturers. They've identified new potential targets, like the cosmetic talc industry, and new potential strategies, like bootstrapping non-asbestos toxic exposure claims to asbestos claims. Their article explores a number of non-traditional asbestos litigation trends.

"Whether by developing new targets or new tactics, plaintiffs' firms will continue to cultivate novel approaches to asbestos litigation so long as there are clients to represent. The non-traditional approaches discussed here ... are merely two examples of this. Although the future of both of these approaches is difficult to foretell, what is clear is that asbestos litigation, in both its traditional and non-traditional forms, will continue to evolve and is very likely here to stay."

Read the article here:

Susan E. Van Gelder and Arlow M. Linton, "Non-Traditional Asbestos Litigation: New Products and Industries in the Crosshairs," *Mealey's Litigation Report: Asbestos*, November 19, 2014

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