



News & Updates

EASTERN DISTRICT OF LOUISIANA - POSSIBLE EXPOSURE TO BRAKE PRODUCTS HELD INSUFFICIENT TO DEFEAT SUMMARY JUDGMENT (FEB. 24, 2015)

In this wrongful death case, the plaintiff alleged that his father, decedent Fredrick Laurent, was exposed to asbestos from several different jobs, including while working for the City of New Orleans' brake tag station from 1958 to 1986. Various motor vehicle manufacturing defendants moved for summary judgment on two grounds: 1) the plaintiff could only offer the possibility that decedent, who died prior to testifying, was exposed to asbestos from their products; and 2) the plaintiff's claim fails the Louisiana "substantial factor" test because any exposure to defendants' products could only constitute a trivial factor in the development of decedent's disease.

In granting defendants summary judgment, the Court held: "Although plaintiff's opposition insists that 'the evidence strongly shows the defendants' vehicles did pass through the brake tag station,' plaintiff does not actually produce any evidence - admissible or otherwise - to support that contention. Nor does he raise a genuine dispute of fact as to whether Mr. Laurent was exposed to any asbestos-containing products, i.e. brakes, defendants may have manufactured." The Court further held that while the plaintiff alluded to the fact that he had not conducted any "meaningful discovery" he failed to include any declaration under Federal Rule of Civil Procedure 56(d) "specifying the type of discovery he wishes to conduct and the material facts such discovery likely would produce."

[Click here for a copy of this decision.](#)

If you have questions about how this case may impact your business, please contact:

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Files

[Asbestos Case Tracker February 27 - Louisiana.pdf](#)

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