

Simmons Law Firm Secures \$3 Million Jury Verdict Against Crane Co. for Family of Mesothelioma Victim

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New York pipefitter died from incurable cancer caused by asbestos exposure



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BUFFALO, N.Y., Oct. 25, 2012 – Simmons Browder Gianaris Angelides & Barnerd LLC, a nationwide leader in asbestos litigation, announced today that a New York jury has awarded a \$3 million verdict to the family of Gerald Suttner, a pipefitter who died from mesothelioma, an incurable cancer caused by asbestos exposure. For more than a decade, Suttner was exposed to asbestos used in valves manufactured by the defendant, Crane Co.

Simmons Firm attorneys Myles Epperson and Perry Browder, along with co-counsel Michael Ponterio and Joseph Kremer of Lipsitz and Ponterio of Buffalo, N.Y., represented the wife and dependent adult daughter of Suttner in *Suttner v. Crane Co.*, (No. I2010-12499, N.Y. Supreme Ct., County of Erie).

Suttner, formerly of Tonawanda, N.Y., was diagnosed with pleural mesothelioma in October 2010. He died twelve months later at the age of 77. Suttner worked as a pipefitter at the GM Powertrain Facility in Tonawanda for 36 years. From 1964 to 1979, his work included repairing valves manufactured by Crane with asbestos gaskets and packing materials.

Expert testimony during the trial established there is no safe level of asbestos exposure, and Suttner's exposure to the asbestos in the valves led to his mesothelioma diagnosis.

The dangers of asbestos have been known since the early 1900s. Crane knew of the hazards of asbestos as early as the 1930s, but the company continued to use asbestos well into the late 1980s without placing warnings on its products.

"The defendant's use of asbestos and failure to warn workers and consumers of its dangers is inexcusable," said Browder. "On behalf of Mr. Suttner's family, we are proud to have won and held Crane responsible for its decision to use this lethal material in its products."

Suttner retired from the GM Tonawanda plant in 1997. He and his wife, Joanne, also cared for their adult daughter who is disabled.

"Mr. Suttner worked hard in order to provide for his family, and he always played by the rules. Born out of wedlock and raised by his grandparents, he was determined throughout his life to help other people struggling under difficult circumstances. It appears that this jury sent a strong message to defendant Crane Co., that it, too, should have played by the rules that govern honorable behavior by warning Mr. Suttner about the dangers of handling its products," said Michael A. Ponterio, a partner at Lipsitz & Ponterio.

As a national officer in the Shriners organization, Mr. Suttner was an active volunteer for the Shriners Hospital in Erie, Pa. He drove children back and forth to the hospital, often traveling multiple hours each way. He also wrote articles for the organization's national magazine and played in a band that traveled around the country to raise money for the hospital.

"Jerry was a good man who worked hard his entire life to take care of his family and make his community a better place. He gave selflessly to people whom he had never met, because that's the kind of man he was," Epperson said. "His death, which could have been prevented, was a significant loss both to his family and to so many others whose lives he touched."

The trial lasted nearly three weeks. The jury deliberated for two days and held Crane liable for Suttner's mesothelioma, as well as 17 other asbestos manufacturers.

Crane, founded in 1855 in Chicago, manufactures industrial engineered products and employs 10,000 employees worldwide. In 2011, the company reported net sales of \$2.545 billion.

About Simmons Browder Gianaris Angelides & Barnerd LLC:

The Simmons Firm is a national leader in mesothelioma and asbestos litigation. Headquartered in Alton, Ill., with offices in Illinois, Missouri and California, the firm has represented thousands of patients and families affected by mesothelioma throughout the country. The Simmons Firm has pledged nearly \$20 million to cancer research and proudly supports mesothelioma research throughout the country. For more information about the Simmons Firm, visit www.simmonsfirm.com.