

# **Simmons Hanly Conroy Attorneys Secure Justice For Family Of Pennsylvania Laborer Who Died From Mesothelioma**

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PHILADELPHIA (July 15, 2022) – [Simmons Hanly Conroy](#), one of the nation’s largest mesothelioma law firms, has secured a \$3.8 million verdict against Washington Penn Plastics (Wash Penn) on behalf of the estate of Daniel “Dan” Rugg and his wife Sandra

Rugg. Mr. Rugg died of mesothelioma, an occupational cancer caused by asbestos, after working for approximately thirty years as a maintenance worker at the Pennsylvania plastics factory.

The jury found Wash Penn failed to provide a reasonably safe workplace and awarded \$1.4 million in compensatory damages to the family's estate, \$1.65 million in wrongful death damages, and \$750,000 in loss of consortium to Sandra Rugg.

"After examining hundreds of pieces of evidence, the jury found that Wash Penn failed to provide a reasonably safe workplace by using industrial talc that contained asbestos," said [Shareholder James Kramer](#), who served as trial counsel with [Shareholder Donald P. Blydenburgh](#). "The jury clearly understood that companies must take responsibility for exposing their employees to asbestos."

Expert testimony during the trial showed that the talc used at the plant contained asbestos fibers. Mr. Rugg dumped 50-pound bags of industrial talc into giant storage hoppers. Washington Penn was provided with testing documents showing its industrial talc contained asbestos but never shared that information with their employees, including Dan Rugg.

Testimony during trial revealed Washington Penn knew of the dangers of asbestos as early as the 1960s. Yet, the factory never warned its employees or required them to wear protective gear like masks or use respirators.

"Dan's asbestos exposure was prolonged and immense," said Blydenburgh. "He worked hard his entire life so he could enjoy retirement with his grandchildren. Instead, he developed and died from an entirely preventable cancer."

Mr. Rugg was an avid outdoorsman and enjoyed taking his grandchildren camping and fishing. After developing symptoms in 2018, he underwent several tests and surgical procedures, including a thoracentesis where fluid was removed from his lungs. He was diagnosed with mesothelioma in spring 2019 and passed away in 2021 at 64.

Every day of the trial, Sandra Rugg sat in the courtroom holding a picture of Dan.

"This lawsuit was never about the money," she said. "This is about the fact that a jury has held Wash Penn responsible for putting profits over its people. I hope no other family has to go through the loss and pain my family and I have experienced."

The trial lasted 3 weeks, and the jury deliberated for a day. The verdict was awarded on Thursday, July 14.

In addition to Kramer and Blydenburgh, Shareholders [Randy S. Cohn](#), [Jared Hausmann](#) and [Todd Gampp](#) represented Sandra and the family in the Pennsylvania Court of Common Pleas before the Hon. Glynnis D. Hill.

The verdict marks the tenth mesothelioma verdict the firm has won on behalf of mesothelioma patients in the past five years.

### **About Simmons Hanly Conroy, LLC**

Simmons Hanly Conroy, with nearly 250 employees, including 85 attorneys practicing nationwide, is one of the country's largest plaintiff law firms dedicated to holding corporations responsible for wrongdoing. Primary areas of litigation include mesothelioma and asbestos, pharmaceutical and medical device injuries, consumer protection class actions, environmental injuries and protection, and complex personal injury. The firm's attorneys have been appointed to leadership in numerous national multidistrict litigations, including prescription opioids, Vioxx, Toyota unintended acceleration, BP Deepwater Horizon Oil Spill, DePuy Pinnacle and the Volkswagen emission scandal. Since 1999, the firm has secured \$10 billion in verdicts and settlements for thousands of clients nationwide and is a major supporter of asbestos-related cancer research. Offices are located in Alton, Ill.; Los Angeles; New York City; San Francisco; and St. Louis. Read more at [www.simmonsfirm.com](http://www.simmonsfirm.com).