

Wash. Jury Awards \$82M Against Napa Over Asbestos Death

By **Cara Salvatore**

Law360, New York (April 20, 2017, 9:03 PM EDT) -- A Washington state jury has awarded \$81.5 million to a former frequent user of Napa-brand auto parts who died from asbestos-related mesothelioma that his widow blamed on the parts.

The jury unanimously reached the verdict on Monday, according to a statement by Dean Omar & Branham LLP, counsel for Gerri Coogan.

Jerry "Doy" Coogan tinkered with backhoes and cranes from a young age and also had a hobby of restoring hot rods, according to Dean Omar. Over a lifetime Doy Coogan bought and used many asbestos-containing products from Napa and sibling company Genuine Parts Corp., like brakes and gaskets.

A jury agreed with Gerri Coogan that Napa and Genuine Parts were to blame with regard to the parts that allegedly sickened Coogan, the plaintiffs said, and found against the two for both negligence and strict liability.

"Doy Coogan had no idea that he was being exposed to deadly asbestos from just doing what he enjoyed," Jessica Dean of Dean Omar said in a statement.

The trial was 12 weeks long, but the jury took only five hours to deliver its verdict, according to the firm.

A representative for the defendants was not immediately available for comment.

Coogan died in 2015 at age 67, according to his counsel. He grew up learning how to use heavy machinery like an excavator from his grandmother. His widow brought the suit in June 2015.

"Many sellers of friction parts such as brakes, clutches and gaskets have known for nearly a century that their products contain asbestos and can kill. But they refuse to acknowledge their responsibility," Dean said in a statement.

She said that some companies, which she didn't name, continued to sell parts with asbestos until 2001.

There were originally many more defendants, including Deere & Co., Terex Corp., Formosa Plastics Corp. USA, CertainTeed Corp., Honeywell International Inc. and Saberhagen Holdings Inc., but a judge granted

summary judgment to those six companies in November 2016.

The parts in which asbestos was most commonly used were ones that saw a lot of friction, according to the plaintiffs. Asbestos is an extremely effective fire inhibitor.

Napa has 595 stores, according to Genuine's most recent annual report.

Gerri Coogan is represented by Jessica Dean of Dean Omar & Branham LLP.

The defendants are represented by Jeanne Loftis and Brendan Hanrahan of Bullivant Houser Bailey PC.

The case is Gerri Coogan v. Genuine Parts Co., case number 15-2-09504-3, in Pierce County Superior Court.

--Editing by Brian Baresch.