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Heard, Robins, Cloud & Lubel, LLP

Big Deals, Big Suits - Elroy Warren, et al. v. Owens-Corning Fiberglas Corp.

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By Richard Connelly

Lawyers from Houston and South Carolina won almost \$12.8 million for eight plaintiffs in an asbestos case in Harris County.

A jury in 152nd. District Judge Harriet O'Neill's court awarded \$12.73 million in actual and \$64,000 in punitive damages against Owens-Corning Fiberglas Corp. on behalf of eight people who had worked in plants that had Owens-Corning pipe insulation containing asbestos.

The individual awards ranged from \$558,000 to \$2.7 million, said lead plaintiffs' lawyer Denman Heard, an associate at Houston's WILLIAMS, BAILEY & WESNER. Also working on the suit were name partner John Eddie Williams Jr. and the Charleston, S.C., firm NESS, MOTLEY, LOADHOLT, RICHARDSON & POOLE. Ness, Motley partner David Lyle and associate William Connelly handled the litigation.

Lead defense attorney for the liability portion of the trial was Steven Celba, a shareholder in Milwaukee's BORGELT, POWELL, PETERSON & FRAUEN. Also working on the case were James I. Smith Jr., special counsel at Houston's BUTLER & BINION, and J. Jeffery Mundy, a firm associate, and William Cozort, an associate at Houston's BEAN & MANNING. Thomas Taylor, a partner in Butler & Binion, led the defense during the punitive damages portion of the trial.

O'Neill has scheduled a hearing May 6 to develop a final judgment in the case; Heard said he would ask for prejudgment interest of about \$4 million.