



And The Defense Wins

Published 2-27-13 by DRI

Robert Berkes and Viiu Spangler Khare



DRI members [Robert Berkes](#) and [Viiu Spangler Khare](#) of **Berkes Crane Robinson & Seal LLP** in Los Angeles received a defense verdict in Los Angeles County, California, on behalf of CalPortland Company in a case filed by the family of Salvador Orona, Sr., a career painter who died at age 71 from pleural mesothelioma. (*Mary Eleanor Orona, et al., vs. 3M Company, et al.*, (Nov. 30, 2012, Los Angeles Superior Court Case No. BC 458607).

The plaintiffs were the widow and four adult children of the decedent. They claimed that Mr. Orona was exposed to asbestos from CalPortland's Colton gun plastic cement when he walked past the cement mixer and when he scraped dried stucco from the window frames and door frames of tract homes to prepare them for painting. The plaintiffs also claimed that the decedent was exposed to asbestos from various joint compounds manufactured by other defendants while working on residential projects in Los Angeles during the 1960s and 1970s. They contended that each of these exposures contributed to Mr. Orona's mesothelioma, a cancer of the lining of the lung that is specifically linked to asbestos exposure.

The plaintiffs asked the jury to award the Orona family \$22 million in compensatory damages. The Orona family was represented by counsel from the law firm of Waters Kraus & Paul.

CalPortland was the only defendant remaining at the time of the verdict. After nearly three weeks of trial, the jury returned a special verdict in favor of defendant CalPortland after less than four hours of deliberations. The jury found that CalPortland's Colton gun plastic cement was not a substantial factor in causing Mr. Orona's cancer.

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