

Richard Daciw, et al. v. John Crane Inc., et al; 2022 LexisNexis Jury Verdicts & Settlements 356

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Dec. 22, 2022

Headline: Pennsylvania Jury Awards Couple \$25M For Asbestosis

Injury: Asbestosis

Court: Pa. Comm. Pls., Philadelphia Co.

Judge: Ann Butchart
Results: \$25 million plaintiff verdict (\$15 million in damages for Richard Daciw and \$10 million for loss of consortium for Winifred Daciw)

Plaintiff Profile

Richard and Winifred Daciw

Defendant Profile

John Crane Inc

Plaintiff Counsel

Michael J. Brown and Casey Coburn, Nass Cancelliere, Philadelphia

Defendant Counsel

Tiffany F. Turner, Dickie McCamey & Chilcote PC, Philadelphia

Case Summary

Claim: Negligence, product defect and failure to warn

Background: Richard and Winifred Daciw filed suit in the Philadelphia County, Pa., Court of Common Pleas alleging exposure to **asbestos** from 1965 to the late 1980s. Daciw served in the U.S. Navy from 1965 to 1969 as a fireman and shipfitter, from 1970 to 1972 as a maintenance mechanic, from 1972 to 1983 as a pipe fitter and supervisor for Domino Sugar, as a welder in 1983 and as a maintenance mechanic from 1983 into the late 1980s. The case proceeded to trial against defendant John Crane Inc. for **asbestos** in its gaskets and packing. At trial, Daciw called Arthur Frank, M.D., Ph.D., an expert in occupational medicine from Drexel University in Philadelphia; Steven Compton, a materials scientist at MVA Consultants in Atlanta; and treating pulmonologist Daniel DuPont, D.O., F.C.C.P, a pulmonologist at Suburban Pulmonary Medicine in Ridley Park, Pa. John Crane relied on Capt. Margaret McCloskey, a naval librarian; industrial hygienist John Henshaw, a former Occupational Safety and Health Administration director; and Stanley Fiel, M.D., a pulmonologist at Morristown Memorial Hospital in Morristown, N.J.

Other: The jury issued its verdict on Dec. 22, 2022. The jury found that Daciw suffered from asbestosis and that **asbestos** exposure was the cause of his disease. The jury then found that his asbestosis was the cause of his physical symptoms, impairment or disability. In addition to John Crane, the jury found liability on the part of seven nonparties: Allied Signal Inc., Domino Sugar, Eagle Picher, Goulds Pumps Inc., Johns Manville, Palmetto (Greene Tweed) and Smith Kline. The jury found no liability on the part of 12 nonparty entities listed on the verdict sheet. The jury found that each of the liable parties' products was defective because they all lacked warnings and that exposure to their products led to Daciw's asbestosis. The jury awarded Richard Daciw damages of \$15 million and his wife \$10 million for loss of consortium. Judge Ann Butchart presided.

Plaintiff Expert(s)

Arthur Frank, M.D., Ph.D., expert in occupational medicine, Drexel University, Philadelphia Steven Compton, materials scientist at MVA Consultants, Atlanta treating pulmonologist Daniel DuPont, D.O., F.C.C.P, pulmonologist, Suburban Pulmonary Medicine, Ridley Park, Pa.

Defendant Expert(s)

Capt. Margaret McCloskey, naval librarian John Henshaw, industrial hygienist and former Occupational Safety and Health Administration director Stanley Fiel, M.D., pulmonologist, Morristown Memorial Hospital, Morristown, N.J.

Key Related Documents

Verdict sheet.

Document #01-230111-022V.

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