

Janet Schoepke v. E.I. DuPont de Nemours and Company, et al; 2025
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N23C-09-059 ASB

July 24, 2025

Headline: Delaware Jury Awards \$9 Million In **Asbestos** Shotgun Shell Case

Result: \$9 million plaintiff verdict (\$1.5 million in damages to Schoepke's estate and \$7.5 million to his eight surviving children and Janet Schoepke)

Injury: Mesothelioma

Court: Del. Super., New Castle Co.

Judge: Sean P. Lugg

Plaintiff Profile

Janet Schoepke

Defendant Profile

Sporting Goods Properties Inc., as successor in interest to Remington Arms Co., and E.I. Du Pont de Nemours and Co

Plaintiff Counsel

Thomas Crumplar, Jacobs & Crumplar, New Castle, Del; David Barrett and Devitt Cooney, Cooney & Conway LLP, Chicago

Defendant Counsel

John C. Phillips Jr. and David A. Bilson, Phillips, McLaughlin & Hall PA, Wilmington, Del.

Case Summary

Claim: Negligence

Background: Janet Schoepke, as administrator of the estate of her husband, Eugene Schoepke, and Howard Altena pursued **asbestos**-related actions in the New Castle County, Del., Superior Court. The lawsuits were included in the court's April 2025 trial setting. The cases were consolidated for certain pretrial matters, including hearings on experts and mediation. Both cases were at one time set for a pretrial hearing on April 8, 2025, and jury selection on April 14, 2025. On March 14, 2025, the plaintiffs moved for clarification as to the trial setting or to consolidate the cases for trial.

The plaintiffs noted that both cases involve Midwest farmers with alleged exposure to **asbestos** from Remington-brand shotgun shells used from the 1960s to the 1980s. Both cases also involve plaintiffs who contracted mesothelioma. Counsel is the same on both sides in both cases. Defendants Sporting Goods Properties Inc., as successor in interest to Remington Arms Co., and E.I. Du Pont de Nemours and Co. (EIDP) filed their opposition to the trial motion on March 28, 2025. Altena then notified the court in an April 21, 2025, letter that his case was resolved by a settlement.

On April 16, 2025, Judge Sean P. Lugg scheduled Schoepke for trial in the court's July 2025 calendar, with jury selection occurring July 8, 2025. On April 17, 2025, the defendants noted in a letter to the court that with the trial

scheduled in Schoepke's case, trials for two other shotgun shell asbestos cases that were also scheduled for July 2025 would be rescheduled to a later date.

Other: The jury handed down its verdict on July 24, 2025.

The jury found that Eugene Schoepke suffered from mesothelioma caused by asbestos exposure from shotgun shells and that the exposure was a proximate cause of his disease.

The jury found Remington and EIDP negligent. The jury apportioned 40% of the liability to Remington and the remainder to EIDP.

The jury awarded \$1.5 million in damages to Schoepke's estate and \$7.5 million to his eight surviving children and Janet Schoepke.

The jury did not find willful disregard for the rights or safety of Eugene Schoepke on the part of either defendant.

Key Related Documents

Jury verdict.

Document #01-250813-032V.

Jury instructions.

Document #01-250813-033J.

Letter notifying court of settlement in Altena.

Document #01-250514-010B.

Court's April 16, 2025, scheduling order.

Document #01-250514-011R.

Defendants' April 17, 2025, letter.

Document #01-250514-012B.

Plaintiffs' March 14, 2025, motion for clarification.

Document #01-250409-016B.

Defendants' opposition.

Document #01-250409-017B.

Complaint in Schoepke.

Document #01-250409-018C.

Complaint in Altena.

Document #01-250409-019C.

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