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Parties in Louisiana Reach Settlement Agreement 1 Week Before Trial

NEW ORLEANS -- Parties in a Louisiana benzene case have reached a settlement agreement one week before the case was scheduled to begin trial, according to a dismissal order entered in the case. *Cole, et al. v. Ashland Chemical Inc., et al.*, No. 09-6584 (E.D. La.).

In a notice filed Feb. 14, the U.S. District Court for the Eastern District of Louisiana said that a settlement agreement had been reached. The federal court subsequently dismissed the claims in a separate order issued the same day.

The order was issued just one week before parties were scheduled to pick a jury in anticipation of a trial involving one of the plaintiffs. Earlier this month, the federal court issued pretrial orders, in part opining that the question of diagnosis with regard to one of the plaintiffs was a question for the jury.

The lawsuit was filed by Marvin Weeks and Beverly Neeley, who claimed that they were exposed to benzene while working at the Olin Kraft Mill No. 75. Weeks worked at the mill from 1962 to 1992, while Neeley was employed from 1962 to 2005.

Both men contend they developed forms of multiple myeloma and myelodysplastic syndrome as a result of this exposure. In the pre-trial orders, however, the court granted a defense motion to continue the Weeks claims, severing them from Neeley. Trial was scheduled to begin on Feb. 22 for Neeley only, but the recent dismissal order does not state whether the settlement agreement was reached in the claims of Neeley, or for both men's claims. For more on the court's pretrial orders, see the related story, "Pre-Trial Orders Issued in Louisiana Benzene Case Slated for Feb. 22 Trial," in this issue.

Counsel for the plaintiffs are L. Eric Williams of the Williams Law Office in Metairie, La.; and Richard J. Fernandez and Amber E. Cisney of Richard J. Fernandez, LLC in Metairie, La.

Counsel for Ashland are John J. Hainkel III, Peter R. Tafaro and Andrew M. Maestri of Frilot, LLC, in New Orleans.

Documents are Available Call (800) 496-4319 or Search www.harrismartin.com Notice Ref# BEN-1102-09
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