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Widow of Former Shell Worker Files Benzene Lawsuit in Louisiana

NEW ORLEANS -- A new benzene lawsuit has been filed on behalf of a former refinery worker, whose alleged exposure to benzene while cleaning tanks at the facility ultimately led him to develop Acute Lymphoblastic Leukemia (ALL), according to the complaint. Frank, et al., v. Shell Oil Co., et al., No. 11-871 (E.D. La.).

In the April 15 filing in the U.S. District Court for the Eastern District of Louisiana, the plaintiff says that the defendants knew that the employees of the refinery were developing blood disorders and cancers.

Lois Frank brought the claims on behalf of her deceased husband, Welman Frank, who was allegedly exposed to benzene while working as a contract worker at the Shell Norco refinery for approximately 30 years.

While employed at the refinery, Frank cleaned out storage tanks that "regularly and frequently exposed [him] to unsafe levels of benzene on a daily basis which resulted in his development of ALL Leukemia."

"The defendants knew that Shell employees were developing blood disorders and cancers at the Norco, Louisiana, facility prior to 1960," the lawsuit says. "Shell failed to warn its workers that Shell employees were contracting AML, ALL, CLL, CML and other forms of leukemia; aplastic anemia; myelodysplastic syndrome; lymphoma, and over [150] cases of multiple myeloma from 1960 through 2009."

The plaintiff additionally claims that the benzene health hazards have been recognized for more than 100 years and that, by 1948, "it was widely known in the U.S., to those in defendants' industry, as we as the named Defendants that exposure to benzene could cause a myriad of ill health effects including such diseases as leukemia and other blood disorders."

The lawsuit asserts causes of action for fraudulent concealment, negligence, strict product liability, Former Article 2317 liability, concealment, misrepresentation, fraud, and unjust enrichment.

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

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