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## Parties in Benzene Exposure Case Agree to Settle; Case Dismissed

NEW ORLEANS - The remaining defendants in a benzene exposure case have agreed to settle the claims and the case has been dismissed by a Louisiana federal judge. Moore, et al., v. ExxonMobil Corp., et al., No. 11-00747 (E.D. La.).

In a March 6 order, Judge Martin L.C. Feldman of the U.S. District Court for the Eastern District of Louisiana dismissed the case without costs and without prejudice.

The underlying case involved the claims of Donald Moore Sr., who allegedly develop multiple myeloma as a result of exposure to more than 15 benzene-containing products.

The plaintiffs alleged that Moore's employment as a police officer required him to work on cars, bikes and motorbikes with various paints, thinners, cleaners and strippers. He also routinely cleaned guns with the benzene-containing product Liquid Wrench, the lawsuit said.

Among the other products named in the complaint are Esso Rust-Ban, Varsol, Esso Handy Oil, Mobil Penetrating Oil, Mobil Handy Oil, Shell Lock Ease, Shell Vinyl Cleaner, Shell Solvents, Shell Lighter Fluid and Spot Remover, Firestone Rubber Cement, Firestone Paint Thinner, Firestone Rubber Repair Kit, Gulf Engine Degreaser, Gulf Lock Ease, Texaco Carburetor Cleaner, and Texaco Rubber Repair Kit.

"While cleaning guns, working on cars, motorbikes, ... locks and with paint products, Mr. Moore was exposed daily to high levels of benzene," the complaint said. "He was also exposed to high levels of benzene from products manufactured, distributed or sold by the defendants."

The dismissal order gave the plaintiffs the right to, upon good cause shown, reopen the action or seek summary judgment enforcing the settlement agreement if it is not consummated within a reasonable time. Judge Feldman retained jurisdiction for all purposes, including enforcing the settlement agreement.

Counsel for U.S. Steel are Tim Gray and Molly Massey of Forman, Perry, Watkins, Krutz & Tardy LLP in New Orleans.

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

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