

From: HarrisMartin's Benzene & Emerging Toxic Torts Litigation Publication

Date: February 21, 2013

www.harrismartin.com

Parties in Louisiana Jones Act Case Involving Gasoline Reach Settlement Agreement

NEW ORLEANS — Parties remaining in a benzene case asserting claims under the Jones Act have reached a compromise, according to an order of dismissal entered in the case.

In the one-page order issued Feb. 7, the U.S. District Court for the Eastern District of Louisiana dismissed the action without prejudice, saying that the parties could reopen the action “if settlement is not consummated within a reasonable time.”

The underlying claims involved Stephen Scott’s alleged exposure to benzene in gasoline, diesel and crude oil. As a result of the exposure, Scott says he developed aplastic anemia.

In September, the District Court awarded defendant Settoon Towing partial summary judgment, finding that the plaintiff was barred from recovering punitive damages under the Jones Act.

In the same ruling, however, the court declined to apply a recent ruling that would have permitted recovery of such damages, noting the claims in that case were not brought under the Jones Act, but instead general maritime law.

The plaintiffs are represented by L. Eric Williams of the Williams Law Office in Metairie, La.; and Richard J. Fernandez and Amber E. Cisney of Richard J. Fernandez in Metairie, La.

Settoon Towing is represented by Rufus C. Harris III, Alfred Jackson Rufty III, Jill Schultz Willhoft, Christopher M. Ordoyne and Cindy Galpin Martin of Harris & Rufty in New Orleans.

Scott v. Cenac Towing Co. LLC, No. 12-811 (E.D. La.).

Document is Available Call (800) 496-4319 or Search www.harrismartin.com Order Ref# BEN-1302-09

HarrisMartin Publishing - 30 Washington Avenue, Suite D-3, Haddonfield, NJ 08033

(610) 647-5500 - www.harrismartin.com - service@harrismartin.com