

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

Date: July 12, 2013

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## Crane and Equipment Operator Files Benzene Lawsuit in Louisiana Federal Court

NEW ORLEANS — A former crane and equipment operator has filed a benzene lawsuit in Louisiana federal court, contending that he was exposed to benzene-containing products for approximately 40 years.

This exposure led him to develop myelodysplastic syndrome, according to the complaint, filed June 28 in the U.S. District Court for the Eastern District of Louisiana.

Thomas and Johnnie Dykes filed the lawsuit, contending that Thomas Dykes was exposed to benzene-containing products — including crude oil, gasoline and other chemicals — while working as a crane and equipment operator at construction sites.

Dykes worked in this field from 1972 to 2012, the lawsuit says.

As a result of the “high levels of benzene” exposure, Dykes developed myelodysplastic syndrome, the plaintiffs allege.

“The health hazards of benzene have been recognized by industry groups for over one hundred years,” the complaint says. “Benzene has been recognized as a carcinogen known to cause leukemia. By the end of 1948, it was widely known to those in Defendants’ industry as well as the named defendants that exposure to benzene could cause a myriad of ill health effects including such diseases as leukemia, multiple myeloma, lymphoma and other blood disorders.”

The complaint asserts causes of action for negligence, strict product liability, concealment, misrepresentation, fraud and Former Article 2317 Liability since Dykes’ alleged exposure occurred when the article — which imposes liability on those “legally responsible for the custody of [the harmful] thing” — was in effect.

The complaint names Shell Oil Co., Shell Chemical LP, Delta Terminal Services, John W. Stone Oil Distributor and GATX Terminals Corp., as defendants.

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

Dykes, et al. v. Shell Oil Co., et al., No. 13-4934 (E.D. La.).

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