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New Benzene Lawsuit Filed in Louisiana Asserts Gasoline Exposure Claims

NEW ORLEANS — A new benzene complaint has been filed in Louisiana on behalf of a former gas station employee, whose years of benzene exposure allegedly led him to develop Acute Myeloid Leukemia.

The Jan. 15 lawsuit, filed in the U.S. District Court for the Eastern District of Louisiana, names Shell Oil Company and Chevron USA as defendants.

Plaintiff Yolande Burst filed the claims on behalf of Bernard Ernest Burst Jr., who was allegedly exposed to benzene while working at a number of gas stations — including Shell, Gulf Oil and Texaco — for more than 10 years.

While employed, Burst pumped gas, gauged gasoline storage tanks and completed a number of mechanic tasks, the complaint says.

“The various products including but not limited to gasoline which contained benzene and were manufactured, supplied, distributed and sold by defendants, Shell Oil, Gulf Oil and Texaco Inc.,” the complaint says.

During his employment, Burst would “regularly” come into contact with pure benzene and benzene-containing products, the lawsuit asserts.

As a result of the exposure, Burst developed Acute Myeloid Leukemia, the lawsuit says.

“Through industry and medical studies unknown to plaintiffs, the defendants knew or should have known of the health hazards inherent in the products they manufactured, distributed, sold, supplied, owned, transported, or used. The actions or inactions of the defendants constitute gross negligence and demonstrate a reckless disregard for the rights and safety of others,” the plaintiff argues.

The complaint brings causes of action for negligence, strict product liability, compensatory damages and wrongful death and survival claims.

The plaintiff is represented by L. Eric Williams of the Williams Law Office in Metairie, La.

Burst, et al. v. Shell Oil Company, et al., No. 14-00109 (E.D. La.).

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