

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

Date: May 5, 2014

www.harrismartin.com

Polyurethane Applicator Files Benzene, Toluene Lawsuit in Louisiana Federal Court

NEW ORLEANS — A new benzene and toluene lawsuit has been filed in Louisiana federal court, asserting claims on behalf of a former polyurethane applicator who said the sprays he used on a daily basis contained the harmful chemicals.

In the May 2 lawsuit filed in U.S. District Court for the Eastern District of Louisiana, the plaintiffs argued that as a result of the “long-term benzene exposure,” the plaintiff developed Chronic Lymphocytic Leukemia (CLL).

The plaintiffs asserted the claims on behalf of Walter Sarrat, whose employment by Gencote Inc. as a polyurethane applicator required him to spray barges, sugar silos and other metal objects in an effort to prevent corrosion.

However, according to the plaintiffs, toluene containing up to 2.5 percent benzene was present in the polyurethane coatings. As a result of this exposure, Sarrat developed CLL, the plaintiffs allege.

The defendants — some of which are manufacturers of the product — knew, or should have known, that the health hazards of benzene were inherent in their products, the lawsuit states.

“Furthermore, the Defendant committed numerous tortious acts that include, without limitation, negligently misrepresenting, concealing, suppressing, and omitting material information about the health effects of benzene and precautionary measures in regard thereto, as specifically alleged below,” the complaint says.

The lawsuit asserts causes of action for negligence, strict product liability, concealment, misrepresentation, fraud, and loss of consortium.

The plaintiffs also invoke the discovery rule, arguing that “the results of Mr. Sarrat’s exposure to benzene was inherently undiscoverable.”

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

Sarrat, et al. v. Univar U.S.A. Inc., et al., No. 14-1017 (E.D. La.).

Document is Available Call (800) 496-4319 or Search www.harrismartin.com New Complaint Ref# BEN-1405-03

Copyright Note: This article was reproduced from the HarrisMartin Publishing Web site at www.harrismartin.com. While dissemination of this article via e-mail, fax or regular mail -- provided it has not been altered in any fashion -- is permitted, dissemination of multiple articles through any medium is prohibited without express consent from HarrisMartin.

HarrisMartin Publishing - 30 Washington Avenue, Suite D-3, Haddonfield, NJ 08033
(610) 647-5500 - www.harrismartin.com - service@harrismartin.com