



News

Missouri Court of Appeals Hands a Win to Plaintiff in Asbestos Verdict

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In the April edition of his Chicago Law Bulletin column, Hinshaw & Culbertson LLP partner [Craig Liljestrand](#) – a member of the firms' Product Liability and Toxic Torts practice groups – analyzed the Missouri Court of Appeals decision in *Urbach v. Okonite Co.*, No ED 104393, 2017 WL 1151067 (MO. Ct. App. March 28, 2017), applying Wisconsin law and holding that a defendant was partly responsible for the post-death loss of consortium damages from an electrician's asbestos exposures.

Liljestrand describes how the defendant sought to appeal its portion of the \$4.16 million trial court verdict, arguing among other things a lack of causational proof and that the trial court incorrectly applied Wisconsin's damages cap on loss of consortium. The Court of Appeals rejected both arguments, finding the plaintiff had met the "substantial factor" test required for a negligence claim under Wisconsin law, and that the trial court correctly first apportioned liability between the plaintiff and defendant, and only then applied the cap.

[Read the full article \(PDF\)](#)

"[Asbestos verdict finds for plaintiff despite testimony from co-workers](#)" was published by the Chicago Daily Law Bulletin (*subscription required*)

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