

## **Huge Asbestos Verdict Vacated After Judge Recusal**

January 9, 2012 by [Sean Wajert](#)

A Mississippi state court late last month vacated the huge \$322 million jury verdict in an asbestos case against Union Carbide Corp. See *Union Carbide Corp. et al. v. Brown*, No. 2006-196(Circuit Court of Smith County, Ms. 12/27/11).

The asbestos lawsuit in Smith County was filed by plaintiff Thomas Brown Jr., who alleged he worked in the state's oil fields from 1979 to the mid-1980s and was diagnosed with asbestosis. He claimed that he had been exposed to asbestos when mixing drilling products manufactured by Union Carbide.

A state court jury found the defendants liable under defective design and failure to warn claims, awarding \$22 million in compensatory damages and \$300 million in punitives, probably the largest asbestos verdict for a single plaintiff in the history of the grandfather of mass torts. Later, the state Supreme Court disqualified the trial judge after information surfaced that the judge's parents had brought asbestos lawsuits.

As profiled by the [U.S. Chamber of Commerce's Institute for Legal Reform](#), the new judge appointed to handle the matter granted the defendant's motions to set aside the verdict. Plaintiff's counsel had argued that the recusal didn't justify throwing out the verdict.