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Trial Reports

Real Property

Asbestos in School Building - Property Damage - Products Liability

Type of Case: Suit by school board against various defendants to recover costs of removing asbestos from school buildings.

Type of Injuries/Damages: Property damage

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Court/Case No.: U.S. Middle District Court in Greensboro

Name of Judge: U.S. District Judge Richard Erwin presided.

Special Damages: Cost of asbestos removal.

Awarded/Settled: Settled

Amount: \$835,000

Attorney(s) for Plaintiff: Donald Strickland of Raleigh.

Name of Case: Burlington City Board of Education v. U.S. Mineral Products Co. of New Jersey

Insurance Carrier: n/a

Other Useful Information: The plaintiff originally included as defendants an architect, a contractor and a subcontractor that had been involved in the asbestos installation. These parties were eventually dropped from the litigation. The suit was originally filed in Rowan Superior Court and transferred to the federal Middle District.

The plaintiff took lengthy depositions of the defendant's corporate officers and examined minutes of board meetings. 'Factual discovery was the main tool,' Strickland said. 'We had a few somewhat incriminating documents, where the president of the company and others were trying to suppress evidence about asbestos' effects.'

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