



The Voice

And The Defense Wins

Published 7-13-16 by DRI

Jeanne Loftis and Melissa Tarab



DRI members [Jeanne Loftis](#) and [Melissa Tarab](#) of **Bullivant Houser Bailey PC** in Portland, Oregon, obtained summary judgment dismissing a \$10.5 million asbestos litigation claim targeting their client, a building materials distributor.

Plaintiff alleged exposure to asbestos from various products on numerous jobsites while working as a construction laborer. More specifically, he claimed exposure to joint compound supplied by the distributor. He relied primarily on a co-worker's testimony that the distributor delivered small amounts of a joint compound finishing product to the co-worker's jobsites while working for the same employer as the plaintiff—despite plaintiff's recollection that two other distributors supplied joint compound to his worksites.

Multnomah Circuit Court Judge Judith H. Matarazzo concluded that plaintiff failed to meet his burden to establish that 1) plaintiff was exposed to asbestos from a product distributed by the company, and 2) asbestos from any product distributed by the company would have substantially contributed to the plaintiff's asbestos-related injury.

Ms. Loftis currently serves DRI as Northwest Regional Director and is a former DRI Oregon State Representative. She is also a past president of the Oregon Association of Defense Counsel. Ms. Tarab is a member of the DRI Toxic Torts and Environmental Law Committee Asbestos/Silica Specialized Litigation Group.

To learn more about DRI, an international membership organization of attorneys defending the interests of business and individuals in civil litigation, visit www.dri.org.