

## ARTHUR D. BROMBERG

SENIOR COUNSEL



### AREAS OF PRACTICE

Asbestos & Mass Tort Litigation

### CONTACT INFO

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Roseland, NJ 07068

### ADMISSIONS

New Jersey  
1979

New York  
1988

U.S. District Court District of New  
Jersey

U.S. District Court Southern  
District of New York

U.S. District Court Eastern District  
of New York

U.S. Court of Appeals 2nd Circuit

U.S. Court of Appeals 3rd Circuit

### EDUCATION

University of Baltimore School of  
Law (J.D., 1979)

Fairleigh Dickinson University  
(B.A., 1972)

### OVERVIEW

Art Bromberg has been litigating asbestos health, personal injury and property damage claims since 1980. Presently, he serves as national counsel for a number of equipment manufacturers where he concentrates his practice on defending asbestos health-related matters.

Over his 30 years of toxic tort litigation on behalf of various asbestos manufacturers, Art has participated in over 100 asbestos health trials in both New York and New Jersey. As a result of his experience involving the medical aspects of asbestos health litigation, Art has served, for many years, as joint medical defense counsel for various defendants in the New York City asbestos litigation cases. During this time, he has tried an extensive number of cases and has been retained by law firms individually to represent their interests in reverse bifurcated medical trials.

### RESULTS

**After nine-week trial, unanimous defense verdict in asbestos case where \$40 million in damages had been sought.**

#### **Asbestos & Mass Tort Litigation**

**March 23, 2022**

We obtained a unanimous defense verdict after a nine-week trial in Suffolk County, New York, where the plaintiff's counsel requested that the jury award \$40 million in damages. The plaintiff was 51 years old when she was diagnosed with peritoneal mesothelioma, allegedly as a result of being exposed to asbestos-containing joint compound manufactured and sold by our client. The plaintiff, who was 56 at the time of trial, testified that she had little or no knowledge of ever being exposed to asbestos.

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## HONORS & AWARDS

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## ASSOCIATIONS & MEMBERSHIPS

Defense Research Institute

## SIGNIFICANT REPRESENTATIVE MATTERS

Obtained a unanimous defense verdict after a nine week trial in Suffolk County, New York, where the plaintiff's counsel requested that the jury award \$40 million in damages. The plaintiff was 51 years old when she was diagnosed with peritoneal mesothelioma allegedly as a result of being exposed to asbestos containing joint compound manufactured and sold by our client. Plaintiff who was 56 at the time of trial, testified that she had little or no knowledge of ever being exposed to asbestos. However, her older sister, who served as the only product identification witness at trial, testified that she recalled that their father used asbestos containing joint compound on two occasions, approximately fifty years ago when he repaired their home after a fire in 1970 and when he built a home in Florida around 1975. Plaintiff was five and ten years old respectively during the alleged exposures and plaintiff's sister was seven years older. Plaintiff's sister testified that she had a vivid memory of her father using six different joint compounds during the two projects, including our client's product. She also testified that the plaintiff was present hundreds of times when their father mixed, applied and sanded the joint compound. At trial, we called an industrial hygienist, a toxicologist and an epidemiologist who testified that the type of asbestos fiber used in our client's joint compound did not cause or contribute to her mesothelioma, because the fibers are too short and do not cause disease. Our epidemiologist testified that plaintiff's mesothelioma developed spontaneously and was not the result of asbestos exposure. We also called a construction expert, who testified that the sister's testimony regarding the amount of joint compound used and the time the sister was exposed were excessive. The jury deliberated an hour before returning the verdict. Post-trial comments from jurors indicated they did not find the sister to be credible.

Obtained a Summary Judgment for an equipment manufacturer in a Declaratory Judgment and coverage action against a successor equipment manufacturer in the U.S. District Court for the Southern District of New York.

Numerous defense verdicts in both New York and New Jersey in both cancer and non malignant Asbestos Health-related claims

Successful defense of various asbestos manufacturers and suppliers of asbestos products by obtaining low verdicts or successful and reasonable settlements during the course of trial.

Has obtained numerous Summary Judgment Decisions in various jurisdictions throughout the country on behalf of numerous clients.