

Breaking LEGAL NEWS

NJ's Largest Mesothelioma Verdict
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Levy Phillips & Konigsberg, LLP
800 Third Avenue
New York, New York 10022
212-605-6200
<http://www.lpklaw.com>

Attorney Contact:
Moshe Maimon, Esq
(212) 605-6260 or (732) 996-8568

Lawrenceville, NJ - Goshen, NY

\$30.3 Million Jury Verdict Believed To Be New Jersey's Largest
Mesothelioma Award; Family Members' "Take Home" Asbestos Fibers and 50-Year-Old Victim's
Own College Summer Employment At GM Facilities In Bloomfield and Englewood
Caused Cancer That Killed Rising-Star Advertising Executive,
According To Mesothelioma Attorneys Levy Phillips & Konigsberg, LLP

HACKENSACK, N.J. — Deadly "take home" asbestos fibers on work clothes his father and brother wore while employed at GM parts warehouses in Bloomfield and Englewood, and exposure to the carcinogenic material during his own GM summer employment caused the death of a 50-year-old rising star advertising executive, a Bergen County jury ruled yesterday. The wife and three daughters of Mark Buttitta, who died four days before Christmas 2002, will receive \$30.3 million in what is believed to be New Jersey's largest mesothelioma verdict, the mesothelioma law firm of Levy Phillips & Konigsberg, LLP announced.

Bloomfield born and raised Buttitta's advertising clients had included Coca Cola and Continental and Northwest Airlines before he died a few days after his 50th birthday. Asbestos his father, Frank Buttitta, Sr., and brother, Frank Jr., unknowingly brought home on their work clothes contributed to the deadly cancer, the experts testified at trial. The elder Buttitta was a lifelong GM employee, working as a parts picker at the GM warehouses, handling brakes and clutches made with asbestos, according to attorney Moshe Maimon, of Levy Phillips & Konigsberg, LLP, lead trial counsel in the 15-day trial before N.J. Superior Court Judge Brian R. Martinotti.

In addition to the senior Buttitta's lifelong full-time employment at the GM warehouse, the victim and his brother, Frank Jr., had worked summers during college at the facility -- also as parts pickers. All three Buttittas would wear the same work clothes for days at a time, Maimon said, "bringing home cancer-causing fibers every day from work, unknowingly letting the microscopic fibers fragments waft throughout their home and settle. Worse yet, as a young boy Mark would sit on his dad's lap -- or next to him on the sofa -- every night to watch TV, and was innocently exposed to asbestos."

After high school Mark Buttitta attended Colgate University, eventually residing with his wife and three daughters in Glen Ridge, New Jersey. He was a vice president of MediaVest when first diagnosed with Mesothelioma in 2001 and died a year later, Maimon said.

(More)

In 2003, Buttitta's family established the Mark Buttitta Memorial Foundation for Research for the "Prevention, Treatment and Cure of Mesothelioma," according to the foundation's Web site <http://www.markbuttittafoundation.com/>. "While most Mesothelioma victims are employed in the construction or automotive manufacturing industries, Mark did not fit this typical profile," the foundation's home page noted. On Saturday, March 8th the foundation is holding a wine tasting and silent auction at the Time-Life Building in Manhattan.

"Mark Buttitta's sad case shows convincingly how blue-collar workers from the automotive, construction and other asbestos-using industries are not the only potential victims of mesothelioma," Maimon said. "In Bloomfield, Englewood and all across New Jersey, men and woman who wouldn't know a brake shoe from a horseshoe can be struck down by this horrible disease decades later from simply living with someone who contacted asbestos in his daily occupation. In Mark Buttitta's case we were able to get justice for him and his young family."

The verdict found Borg Warner, Inc., of Michigan, and Asbestos Corp. Ltd., of Canada liable. Maimon's co-counsel in the case were Richard Cattenacci, Esq. of Connell Foley in Livingston, and Donald MacLaughlin, Esq. of Ridgewood.

Case Caption: Susan Buttitta as Executrix of the Estate of Mark Buttitta v. Asbestos Corporation Limited, et al. (BER-L-9592-02)

Contact: Moshe Maimon, Esq., Levy Phillips & Konigsberg, LLP
(212) 605-6260 or (732) 996-8568

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