

“This Should Not Be A Christmas Tree Tort Reform Bill.”

Senator Patrick Leahy, Senate Judiciary
Committee hearing on asbestos compensation reform, March 5, 2003

“We Would Be Partying In The Streets.”

Georgia-Pacific CEO Pete Correll
quoted in the Atlanta Journal-Constitution in reaction to the asbestos “trust fund” proposal, April 25, 2003

Geneva and Bill Hornsby won't be partying.

Mr. Hornsby did acoustic ceiling and drywall work. His clothes were so dusty that his wife started coughing when she shook them out for washing. She was diagnosed with lung cancer in 1998. A few months after he gave a deposition in his wife's asbestos case, Bill Hornsby himself was diagnosed with mesothelioma.

He died two months ago.

Dallas Ellis won't be partying either.

He worked with Georgia-Pacific “Bestwall” joint compound throughout his construction career.

He's dying of mesothelioma at age 54 and will leave a wife and son.

VICTIMS OF MESOTHELIOMA and their survivors came to Washington in September 2002 and March 2003 to testify in Senate hearings about the asbestos compensation system. They supported legislation that would preserve the right to trial by jury for asbestos workers who are presently sick, or those whose loved ones have died from asbestos exposure, and would defer claims by those exposed but who are not presently impaired. Every company seeking bankruptcy protection in the last three years because of asbestos liabilities has stated in its public filings that it could manage the payments to cancer victims, but could not cope with the ever-rising tide of claims by those exposed to asbestos but who are not sick.

Through the “trust fund” measure, however, Senators Hatch, Nelson and Miller now want to deprive even cancer victims of their basic right to trial by jury.

The National Assn. of Manufacturers and the American Insurance Assn., who so solicitously courted the victims of mesothelioma and offered them up as witnesses in support of medical criteria legislation, now endorse a “trust fund” that would take away their day in court and would drastically curtail, or eliminate entirely, their compensation.

So it is easy to see why the CEO of Georgia-Pacific, a company with 2002 sales of over \$23 billion, looks forward to partying in the streets. A 1974 Georgia-Pacific document states that “our attorneys are deeply concerned” about injury and death lawsuits, and suggests labeling Georgia-Pacific products with some language about the hazards of asbestos, but the labels never came. What a wonderful gift from Congress: Never having to face a mesothelioma victim in court again.

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LUNG CANCER AND MESOTHELIOMA
AND THEIR SURVIVORS, WE URGE CONGRESS NOT TO GIVE A
TORT REFORM CHRISTMAS TREE TO THE ASBESTOS INDUSTRY.**

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