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Woman gets \$23M in asbestos cancer case

Employer in 1970s made equipment for dry cleaning

PATRICIA MANSON

pmanson@lawbulletinmedia.com

A Cook County jury on Thursday awarded \$23 million to a woman who developed lung cancer after handling asbestos-containing materials while working for the Chicago manufacturer Qualitex Co.

The jury returned its verdict in favor of Cynthia Cowger in her lawsuit against Qualitex following a three-week trial. Cook County Circuit Judge Patrick J. Sherlock presided over the case.

The jury awarded Cowger \$6 million for loss of a normal life, \$5 million for a shortened life expectancy and \$2 million for physical disfigurement. The jury also awarded her \$5 million for pain and suffering and an equal amount for emotional distress.

Attorneys representing Cowger at trial included Matthew J. Adair and

Kathy Byrne, both of Cooney & Conway. Brittany A. Russell of Weitz & Luxenberg P.C.'s New York office also represented Cowger.

Adair said Cowger is grateful the jurors returned a verdict in her favor.

"Cindy has waited a very long time for this," he said.

He said Qualitex's last settlement offer was for \$2 million. Cowger made a demand for \$5 million just before closing arguments began, he said, and her legal team asked for more than \$14 million during those arguments.

The trial was Adair's first jury trial.

Qualitex was represented at trial by M. Elizabeth O'Neill of Womble Bond Dickinson's Charlotte, N.C., office. She could not be reached for comment.

Qualitex makes press pads and other equipment used by dry cleaners and laundries. Cowger worked for the company in the 1970s, when press pads still contained asbestos.

Three years ago, Cowger developed malignant mesothelioma, a cancer of the lining of the lung.

Cowger filed her suit in Cook County Circuit Court in November 2018, alleging her exposure to asbestos while working for Qualitex caused her cancer.

The trial was postponed a couple of times because of the COVID-19 pandemic, Adair and Byrne said. They said many of the witnesses, including Cowger, testified through Zoom.

Byrne said it was good to be back in the courtroom.

"I think everyone had both a little hesitancy and curiosity as to how the courts were to going to handle jury trials with the space limitations and mask requirements," she said.

Byrne said she is pleased with how the attorneys, jurors and judge handled their roles.

"It made me very proud as to how the jury system worked," she said.

The case is *Cynthia Cowger v. Qualitex Co.*, No. 18 L 12099.