

George &
Farinas, LLP

The Messenger

Fall/Winter 2011

151 N. Delaware St., Suite 1700 Indianapolis, IN 46204 - www.hardworkinglawyers.com - 888.277.0500

It is with great pleasure that I announce forming the George & Farinas, LLP partnership. Kathy Musgrave-Farinas has worked closely with many of you for years. She is invaluable to our team and has been actively involved in all phases of litigation since 2000.



Some of you will recall that I began working with Steve Laudig in 1988-89 while I was a law student. After graduation from law school, Steve and I formed the partnership, Laudig & George, which focused its practice in the areas of asbestos litigation, civil rights and criminal defense. We later called ourselves Laudig, George, Rutherford & Sipes. Steve moved to Hawaii where he supported Native rights, and more recently teaches English in China.

During the time Russell Sipes was a partner we argued to the Indiana Supreme Court that workers in Indiana have a right to have their asbestos cases heard. Several of our clients testified before committees in an attempt to change the law.

George & Farinas will continue to be a relentless advocate for those who have chosen us to represent them. With the support of our dedicated attorneys, Todd Barnes and Ashleigh Resetarits, we will continue to practice law with compassion, professionalism and unsurpassed devotion to our clients.

We associate with highly-respected and experienced co-counsel throughout the country. Our staff remains the same: Jim McIntosh, Andrea Jones, Jessica Doriot, Sarada Leach, Suzy Miller, Lori Craig, Zaundra McNew and Glenn Cook.

In addition to litigation involving exposure to asbestos and other toxic substances, our practice continues to include representation of those injured in catastrophic accidents, as well as defective drugs and medical devices.

In the future, if you'd like to receive our newsletters by email, let us know. To learn more about us, visit us on the web.



Linda George

<http://www.hardworkinglawyers.com>

THE ROAD WARRIOR:

Jim McIntosh



Jim McIntosh, retired Steelworker, Electrician, and Labor Coordinator for George & Farinas, actively investigates along with co-counsel, incidents of Coal Tar Pitch exposures of workers in Indiana, Kentucky, and West Virginia.

Jim says he feels “personally obligated to make information about CTP available, as I was exposed to CTP volatiles while working in an aluminum smelter back in the day.”

Jim recently took his message to retirees meetings at Asbestos Workers Local #18 in Indianapolis, IN, Local #80 in Winfield, WV, and with the Steelworkers Organization of Active Retirees (SOAR) chapter members in Newburgh, IN, Ravenswood, WV and Hawesville, KY.

Jim is a proud member of SOAR and the Alliance for Retired Americans. In an effort to get the word out to retirees of the hazards of exposures to CTP he travels whenever he can find an audience to educate how past work history impacts workers’ health, today. Jim recently attended the Alliance for Retired Americans National Conference in Washington, DC where he and others discussed these concerns with Congressional Representatives on Capitol Hill.

Please Join
George & Farinas

for a

HOLIDAY

OPEN HOUSE

Friday, December 16, 2011

151 N. Delaware St.

Suite 1700

5pm to 8pm

Light Refreshments Served



HONORING OUR CLIENTS: Woodie Vanover

Keeping the Message Alive

Woodie Vanover, Jr., an aluminum smelter production worker from southern Indiana, friend, and client of George & Farinas, sadly lost his battle with bladder cancer at the age of 67.

Woodie was exposed to Coal Tar Pitch (CTP) for over 20 years while working with carbon blocks used in aluminum smelting operations. His CTP-related cancer ultimately spread from his bladder to his appendix and prostate, and later Woodie lost both kidneys.

In his final days, Woodie committed to give a deposition in his case. During this time he continued to undergo chemotherapy and dialysis, all while fighting through his pain. He wanted to completing his deposition in honor of his family, and for friends and co-workers who may find themselves battling a similar illness as a result of CTP exposure one day.

*Jim McIntosh worked closely with
Woodie's case.*

“Woodie, prior to his death, made me promise I would get the word out to others that have worked in the type of work environment that he had in the hopes that others may realize what their exposure can cause and to find cancers early enough to adequately treat. I never forget him when I am on the road. Never.”

Industrial Workplace Hazards: Smelters

Aluminum smelters use electricity to reduce the metal ore, alumina, into the aluminum form we know and use daily, in everything from soda cans to materials for jet airplanes.

An aluminium smelter consists of a large number of steel containers lined with carbon. During the smelting process the aluminium metal is deposited at the bottom of the pots and periodically drained off.

For decades, at aluminum plants and other heavy industrial sites, such as steel mills, workers have been exposed to known carcinogens.

According to the National Institute of Occupational Safety and Health (“NIOSH”) it is estimated that “approximately 20,000 cancer deaths and 40,000 new cases of cancer each year in the U.S. are attributable to occupation.” Some of the most common occupational cancers are: mesothelioma and lung cancer caused by asbestos exposure, acute myelogenous leukemia (AML) caused by benzene exposure, and kidney or bladder cancer caused by coke oven and smelter exposure at steel mills or aluminum plants.



SPOTLIGHT: COAL TAR PITCH EXPOSURE

Coal Tar Pitch (CTP) is a black chemical substance used in the aluminum smelting process. It is created during the distillation of crude coal tar, which is a by-product from the metallurgical coking process. It is sold to the aluminum industry in both liquid and solid form. OSHA recognizes coal tar pitch as a carcinogen.

When coal tar pitch is heated, it causes the release of various dangerous chemicals. These chemicals are referred to as coal tar pitch volatiles (CTPV).

CTPVs are sometimes described as having a smoky or chemical fume odor. The volatiles drift into the air any time coal tar is baked; once airborne they are breathed by workers. These dangerous chemicals are also absorbed through the skin and membranes.

Workers who presently or previously worked in the following areas of a primary aluminum smelting plant are potentially subject to exposure to CTPVs:

- Receiving/unloading CTP;
- The Green Anode Mill;
- Carbon Bake Area;
- Pot Rooms; and
- Maintenance/Mechanical/ Electrical/ Utility personnel who perform their duties in the above areas of the plant.



It is critical for workers to be educated about the nature of CTP, how and where it is used in the various phases of the aluminum smelting process, and how to best avoid or minimize exposure while performing their job functions.

Human exposure to CTP can occur through inhalation of volatiles, incidental ingestion, and absorption of volatiles through the skin. The proper use of protective clothing and equipment by workers is important, but does not eliminate all exposure.

Experts have linked bladder cancer, lung cancer, kidney cancer and melanoma skin cancer to coal tar pitch exposure. Since the survival rate for cancer increases with early detection and proper treatment, it is critical that workers undergo periodic medical surveillance to screen for the above-mentioned cancers.



DEPARTMENT of ENERGY WORKSITES

On July 31, 2001, the Department of Labor began processing claims filed under a compensation program created by the Energy Employees Occupational Illness Compensation Program Act (EEOICPA).

The law is designed to compensate individuals injured in the production of nuclear weapons, nuclear energy and other energy-related industries.

If you were injured while working at any Department of Energy facility, or other energy-related organization, the EEOICPA may entitle you to compensation and medical benefits.

Contact a George & Farinas attorney to discuss eligibility under the EEOICPA and assistance with a claim for the following medical conditions:

- Lung disease
- Beryllium diseases
- Cancer (renal cancer, bone cancer, leukemia, multiple myeloma, etc.)
- Asbestosis
- Asthma
- Parkinson's disease
- Injuries from ionizing radiation
- Neuropathy



AVIATION MECHANICS & REPAIRMEN

The aerospace industry has been regarded as a hazardous working environment due to the high volume of confirmed asbestos exposures. Aircraft mechanics and repairmen are included in the list of aerospace workers affected by asbestos exposure and resulting health problems such as mesothelioma, lung cancer or asbestosis.



Asbestos was used in various areas of aircrafts for its resistance to heat and friction resistance, electrical and chemical damage, and its sound absorption and strength.

Asbestos-containing equipment on aircrafts frequently included brakes, insulation, glues, and epoxies. Brakes of many aircrafts were lined with asbestos for heat and friction purposes, but each time the plane braked, some of the asbestos would grind to dust and collect in the wheel wells.

Servicing the brakes then released this dust into the air, causing aircraft mechanics to be at a high risk for asbestos exposure. Aircraft mechanics and others commonly had to service, cut, grind, sand, and remove these parts, which created the potential to release the deadly fibers. If you'd like more information about these exposures, call our office and ask to speak to an attorney.

CLIENT REMINDERS:

SOCIAL NETWORKING WEBSITES: PROCEED WITH CAUTION

If you are involved in a lawsuit, be aware that any social networking you do may be used against you in Court. This includes posts, updates, pictures and/or videos to sites such as Facebook, Twitter, YouTube, or your own personal website or blog.

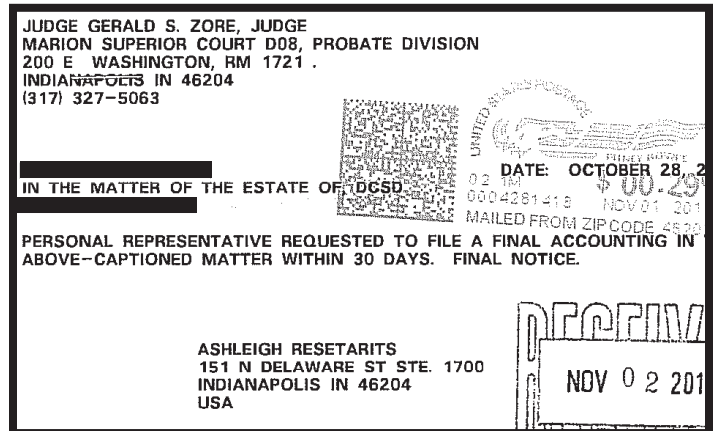
Clients can be “Googled” by their own attorneys or opposing counsel to see if there is anything available to strengthen, or damage, their case. Even if your information is “locked” or only viewable to a select group of people, it may still be accessed and used as evidence. This includes deleted information.

Even the most innocent post or photo can be taken out of context and can cause problems. A client’s credibility can be severely damaged if they are portrayed as untruthful or as hiding information.

If you use social media sites assume that anything you post online is public. Think before you post and use caution when posting photos or talking about your activities. Remember...cyberspace is forever.



ESTATE POSTCARDS



Does this white post card look familiar to you?

If so, it may serve as a reminder that our office opened a Wrongful Death Estate in the Marion County Probate Court following the death of your loved one. For many of our older asbestos-related cases, these Estates have remained open for ten (10) years or even longer.

Do not be alarmed. We also receive a copy of this post card. The Court is notifying you, as the Personal Representative, and our office, as your attorneys that they’d like a status update on the Estate.

Each year the Estate remains open, we file an update with the Court, and will continue to do so until the Estate is closed. Rest assured, you do not have to take any further action. We will notify the Court on your behalf.

If you have any additional questions or concerns, please call our office at (888) 277-0500 and ask to speak with Ashleigh.

THERE IS NO EXCUSE FOR NURSING HOME ABUSE OR NEGLECT

When a loved one is placed in the trust of a nursing home or long-term care facility, they or their families are usually paying to ensure they receive proper care. Unfortunately, unsafe conditions exist. When patients are injured or suffer from a lack of care, legal action should be taken.



If you trusted a nursing home or long-term care facility to care for a family member or loved one and now suspect abuse, call us. We can help you recognize the warning signs of abuse and neglect, and get the justice and compensation your loved one deserves.

Warning Signs:

- **Physical Abuse:** Broken bones, cuts, scrapes, injuries from falls, dehydration, and medication overdose.
- **Emotional Abuse:** Frequent crying, humiliation, threats and/or bullying.
- **Neglect:** Complaints of being ignored and/or isolated, withholding food, water, and/or medication, and failing to take care of basic hygiene needs.

Signs of these are alarming and outrageous, and yet the victim may not be able to or willing to speak for themselves. Always register your concerns with management, but if you are not satisfied, you have the legal right to file a complaint with the appropriate agency.

George & Farinas believes the elderly are entitled to a dignified existence.

If you suspect that a nursing home has abused or neglected your loved one call (888) 277-0500 for a free evaluation.

WHY GEORGE & FARINAS?

Laws dealing with disease and injury vary from state to state. We have over 30 of years experience working with established and respected experts representing those with mesothelioma, lung cancer and diseases caused by asbestos and other toxins, defective products and drugs in Indiana and the Midwest.

OUR TEAM:

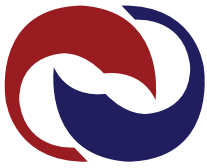
Linda George & Kathy Farinas, Partners
Todd Barnes, Associate Attorney
Ashleigh Resetarits, Associate Attorney

Jim McIntosh, Investigator

Paralegals:

Andrea Jones Jessica Doriot
Sarada Leach Suzy Miller
Lori Craig Zaundra McNew

Glenn Cook, Reception



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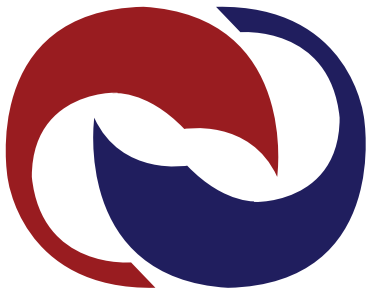
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Hard Working Lawyers for Hard Working Families



**Occupational Disease/Toxic Exposure
Drug and Medical Device Failure
Serious Personal Injury
Nursing Home Abuse and Neglect
Construction/Worksite Accidents
Workers Compensation**



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**PLEASE KEEP
GEORGE & FARINAS INFORMED
AS YOUR HEALTH CHANGES!!**

DID YOU MOVE??

**Update us with your new
contact information.**

DO YOU USE EMAIL??

**Provide us with your email address for
news and updates.**

**Call 888.277.0500 or send
an email to jd@georgeandfarinas.com**