

## **Federal Judge Rules that Former U.S. Navy Serviceman May Pursue Legal Claims Concerning Asbestos Injury Allegations, Parker Waichman LLP Comments**

*Former U.S. Navy service member alleges that asbestos exposure occurred when he was working aboard Navy vessels.*

Port Washington, New York ([PRWEB](#)) October 30, 2014 -- A Pennsylvania federal judge has ruled that a former United States Navy service member may pursue legal claims against Crane Co. and General Electric Co., as well as two other firms; Ingersoll Rand & Co. has been released from the lawsuit. Claims involve the man's alleged exposure to asbestos while working aboard U.S. Navy ships. The case is McAfee et al. v 20th Century Glove Corp of Texas et al., case number 5:13-cv-06856, in the U.S. District Court for the Eastern District of Pennsylvania.

Kenneth McAfee claims that he was exposed to asbestos while serving in the Navy from 1969 to 1991 and while working in a shipyard for three years after leaving the service. The lawsuit was brought in 2013 against Crane Co., which manufactured packing used in equipment aboard Navy ships, as well as numerous other firms. (McAfee et al. v 20th Century Glove Corp of Texas et al., case number 5:13-cv-06856, in the U.S. District Court for the Eastern District of Pennsylvania)

U.S. District Judge Eduardo Robreno ruled that McAfee's claims against the companies fell under Maritime law, saying that the alleged asbestos exposure took place either while the plaintiff was at sea or working in a ship that was dry-docked at a shipyard. The judge found that McAfee's claim passed Maritime law's connection test for a product liability claim, explaining that, "In assessing whether work was on 'navigable waters' (i.e., was sea-based) it is important to note that work performed aboard a ship that is docked at the shipyard is sea-based work, performed on navigable water," the judge said. (McAfee et al. v 20th Century Glove Corp of Texas et al., case number 5:13-cv-06856, in the U.S. District Court for the Eastern District of Pennsylvania)

During much of the twentieth century, asbestos was used as an insulator and fireproofing material, and was often mixed with other materials to add its heat- and fire-resistant properties in construction materials and fabrics, Parker Waichman LLP indicated.

Judge Robreno denied bids made by both Crane Co. and Guardline Inc. for summary judgment, ruling that the plaintiff provided adequate evidence of his exposure to asbestos due to their products. The judge rejected Crane's argument that McAfee did not provide adequate evidence to support his claim that he was exposed to breathable asbestos dust from Crane's packing during his time repairing equipment on Navy ships. Guardline's bid for summary judgment was also rejected and McAfee was found to have sufficiently provided evidence of his exposure to asbestos from gloves manufactured by Guardline. Judge Robreno also granted General Electric partial summary judgment on claims the plaintiff was exposed to asbestos from the equipment's wire wrappings, but did preserve plaintiff's claims regarding asbestos exposure from other GE products. The judge granted partial summary judgment to CBS Corp. and also allowed a plaintiff's claim concerning wiring and granted summary judgment in Ingersoll Rand's favor over asbestos dust exposure from gaskets, packing, and insulation utilized with compressors manufactured by Ingersoll Rand. (McAfee et al. v 20th Century Glove Corp of Texas et al., case number 5:13-cv-06856, in the U.S. District Court for the Eastern District of Pennsylvania)

“Inhaling asbestos causes serious, sometimes deadly, health problems such as pleural disease, asbestosis, lung cancer, and mesothelioma. These diseases may take many years to develop, with people becoming seriously ill decades after their exposure to asbestos,” said Daniel C. Burke, Senior Litigation Counsel for Parker Waichman LLP. “Our firm continues to offer free lawsuit consultations to victims of asbestos exposure.”

If you or a loved one experienced complications after exposure to asbestos, please visit the firm's [Asbestos injury page](#). Free case evaluations are also available by calling 1-800-LAW-INFO (1-800-529-4636).

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