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## **LANDMARK LUNG CANCER ASBESTOS WIN**

The legal claim by a West Australian man who died four years ago after asbestos exposure has set a new benchmark for asbestos victims.

Paul Cotton, who died in 2002 aged 45, leaving a wife and four children, had sued James Hardie, the State of South Australia, and Millennium Inorganic Chemicals Ltd of Bunbury.

The Supreme Court of WA today awarded compensation of \$600,000 to Mr Cotton's family.

Mr Cotton had no pre-existing asbestos conditions, such as asbestosis or pleural plaques, when he developed the lung cancer that claimed his life.

The hotly contested four-week trial in August 2005 centred on arguments of causation and liability, with medical evidence arguing that his asbestos exposure had played a critical role in developing his lung cancer.

Lawyer Tim Hammond from Slater and Gordon, Perth, says it is the first successful claim for lung cancer by a person who did not have pre-existing asbestos disease.

"A previous similar case which ran in New South Wales a few years ago was unsuccessful," Mr Hammond said.

"This is a massive victory for Mr Cotton's wife Theresa and their four children.

"They will now get some compensation for the tragic loss of their husband and father and the economic loss they have suffered as a family since his working life was drastically cut short."

Paul Cotton was exposed to asbestos as a labourer in South Australia during the period 1975 to 1978 when he laid asbestos cement water pipes made by James Hardie.

He was further exposed to asbestos when he worked at the Millennium Inorganic Chemicals pigment plant at Bunbury in 1990 to 1995 where he had to clean an old band drier – a large oven insulated with asbestos for drying pigment.