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Jury Returns \$12.25M Verdict for Family of Woman Who Died from Mesothelioma

September 5, 2025
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An Upstate New York jury returned a \$12.25 million verdict last week to the family of a St. Lawrence County woman who died from mesothelioma, finding that Vanderbilt Mining knew for generations about asbestos contamination in its talc mines but failed to protect neighbors from asbestos exposure in the air.

The Aug. 28 verdict, which includes \$4.5 million for pain and suffering and \$7.75 million in punitive damages, came after four weeks of trial, and the plaintiff's lawyers claim it is the largest known jury award in St. Lawrence County.

Sam Iola of the Dallas asbestos litigation boutique Iola Gross & Forbes-King told *The Texas Lawbook* that it was a unique case.

"My client did not touch the product. She didn't buy the product. ... She didn't work at a workplace where the product was used," he said, referencing the fact that the most mesothelioma claims are based on exposure through use of a product or employment in a setting where asbestos is present.

"She just lived next to what was basically an asbestos mine that was called the talc mine," Iola said. "In every legal sense, it gets a lot more difficult [to bring this type of claim]. ... It certainly presented a whole host of kind of unique challenges."

Between 1964 and 1984, Anna Bishop lived in Balmat, New York, less than a mile from Vanderbilt mining operations. Bishop began showing symptoms of mesothelioma, a deadly form of cancer caused by exposure to asbestos, in October 2022. She died in January 2023, at the age of 78, after enduring medical complications and treatment to remove fluid from around her lungs.

Vanderbilt Mining argued that the talc didn't contain asbestos and didn't cause mesothelioma.

Iola said this case is one he will be using as a roadmap for future cases, including in his representation of Bishop's sister, who was diagnosed with the same type of cancer. She testified at the trial.

Having recently witnessed Bishop's death, her sister "knows what her fate is going to be, and that's a scary thing to think about," Iola said.

"[M]y client, the sister, also has this exact same extremely rare disease that, for some reason, seems to happen a lot in this little itty-bitty town," Iola said.

Iola was co-counsel with Joseph Belluck and Demetrios Zacharopoulos of Belluck Law.

The defendant's counsel, Christina Verone Juliano, with Barclay Damon, did not immediately respond to request for comment.

The case is *Linda F. Weaver, as Administratrix of the estate of Anna Bishop v. Vanderbilt Minerals, LLC*, EFCV-22-164221, in the Supreme Court of the State of New York, County of St. Lawrence.