

The Texas Lawbook

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Dallas Firm Secures \$83M Jury Verdict for Woman's Mesothelioma Death

September 18, 2025
By ALEXA SHRAKE

A Boston jury returned an \$83 million verdict Thursday against American Art Clay Company, finding a Western Massachusetts woman's mesothelioma death was caused by their asbestos-laden products.

The verdict in the Massachusetts Middlesex Superior Court includes \$60 million in punitive damages based on the jury's finding that the company engaged in "malicious, willful, wanton, or reckless conduct" by concealing and failing to warn users about the dangers of their ceramic products.

In addition, the jury awarded \$10 million for pain and suffering experienced by Judith Lapointe, who died in November 2021, weeks after being diagnosed with mesothelioma cancer. The jury also awarded \$13 million for the loss suffered by her husband, Michael Lapointe.

"This lawsuit is about justice for a life unnecessarily cut short because of the choices that this company made to conceal the truth about the dangers of asbestos in its products," trial attorney Rachel Gross of Dallas-based Iola, Gross & Forbes-King said in a news release.

According to the lawsuit, Lapointe was exposed to asbestos fibers from the 1950s through the 1990s from her mother's use of pottery clay for ceramics. Over six days of court testimony, attorneys presented evidence that American Art Clay Company officials knew or should have known about the health risks associated with asbestos in their products as early as the 1960s but failed to warn users.

This is the second multimillion asbestos-exposure verdict secured by Iola, Gross & Forbes King. [Last month](#), the firm saw a New York jury return a \$12.25 million verdict for the family of a woman who died from mesothelioma due to asbestos exposure from talc mines.

In addition to Gross and Iola of Iola, Gross & Forbes-King, the trial team included Michael P. Joyce and Rafael Colmenares of Boston-based Law Offices of Michael P. Joyce and Joe Belluck of the Belluck Law Firm.

Smith Duggan Cornell & Gollub partners Robert Boston and Vincent DePalo and associate Emily Burke represented American Art Clay Company. They did not immediately respond to a request for comment.

The case is *Michael A. Lapointe, individually and as personal representative of the Estate of Judith A. Lapointe v. American Art Clay Company*, 2181CV06597.