

## California Jury Reaches Defense Verdict for O'Reilly Auto at Conclusion of Asbestos Trial

OAKLAND, Calif. — A California jury has reached a defense verdict for O'Reilly Auto Enterprises LLC in an asbestos wrongful death case, rejecting claims that the decedent's mesothelioma was caused by exposure to asbestos fibers in the defendant's brake and clutch products.

The California Superior Court for Alameda County jury reached the verdict on May 20.

According to the verdict form, jurors first found that O'Reilly Auto Enterprises LLC (formerly known as Checker Auto Parts), was not negligent in selling Bendix brand brakes and Borg-Warner brand clutches.

However, the jury did find that Bendix brand brakes and Borg-Warner brand clutches sold by the defendant failed to perform as safely as an ordinary consumer would have expected when using in the intended and foreseeable way.

Ultimately, though, jurors concluded that this failure was not a substantial factor in causing the decedent's injuries.

In the plaintiffs' first amended complaint, filed on Feb. 7, 2020, they contended that decedent Gene Hanks Sr.'s work as a pipefitter, welder, and boilermaker at a number of sites exposed him to asbestos-containing products. As a result of the exposure, Hanks developed mesothelioma, the plaintiffs said.

During closing arguments, the plaintiffs asked jurors to award \$63 million in non-economic damages, sources told HarrisMartin.

In an answer filed March 21, CSK Auto Inc., now known as O'Reilly Auto Enterprises LLC, denied liability, and argued that the plaintiffs had failed to assert a "claim for relief which, if granted, would contravene Defendant's constitutional rights to substantive and procedural due process of law as preserved for defendant...."

The complaint was filed for the plaintiffs by Raymond P. Boucher, Hermez Moreno, Maria L. Weitz, and Brian M. Bush of Boucher LLP in Woodland Hills, Calif.; and Joshua Paul of The Paul Law Firm in Westlake Village, Calif.

O'Reilly was represented by Edward R. Hugo, Bina Ghanatt, and Alex G. Taheri of Hugo Parker LLP in San Francisco.

*Hanks, et al. v. Ameron International Corp., et al.*, No. RG18899286 (Calif. Super. Ct., Alameda Cty.).

Documents are Available Call (800) 496-4319 or Search [www.harrismartin.com](http://www.harrismartin.com) Complaint Ref# ASB-2406-01 Answer Ref# ASB-2406-02 Verdict Sheet Ref# ASB-2406-03

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