

Asbestos Settlements Help Victims Breathe Easier

The term asbestos settlement is used to describe all legal settlements reached where asbestos exposure has caused serious medical problems for an individual who worked in an environment now known to cause several types of 100% fatal cancers. Most people have heard of mesothelioma, a rare cancer caused by exposure to asbestos; however, there are several different cancers and other medical conditions that can arise from asbestos exposure. When these medical conditions are caused by asbestos then it is time to seek out an attorney who specializes in civil court cases that pertain to asbestos settlements.

A lawsuit can be filed to reach an asbestos settlement when employers do not meet certain conditions. There are federal guidelines and restrictions on how much asbestos a person can be exposed to and what precautions need to be taken to protect workers from hazardous asbestos exposure. It is when these guidelines are negligently overlooked and adequate protection is not supplied, workers are at risk of asbestos-related illnesses. When these guidelines are not met, and harm has been done to a worker, an asbestos settlement negotiated by an attorney skilled in this type of case should be initiated.

Another potential medical condition is "asbestosis." Prolonged exposure to asbestos can cause scar tissue to build up on the lungs. This can make breathing more difficult and can lead to death from respiratory failure. This, as well as asbestos-related cancers of the lungs, pancreas, kidneys, colon, and esophagus and Mesothelioma can all be brought into court to reach an asbestos settlement.

The first step is to find a lawyer that specializes in asbestos settlements. If any of the medical conditions listed above have been diagnosed, it is necessary to hire an attorney who is familiar with this type of civil court action and file an asbestos-related lawsuit that will result in an asbestos settlement or an award by a jury. There may be a statute of limitations for asbestos-related conditions, which can cause potential problems in being awarded an asbestos settlement. Asbestosis can take years to become medically evident.

To prevail in an asbestos settlement or trial, it is the responsibility of the plaintiff to provide all necessary documentation of health issues as well as proving that asbestos is the cause of the medical condition and that the plaintiff's current condition was caused by negligence of the employer. Without proper proof, an asbestos settlement will not be awarded by a jury or through asbestos settlement mediation with the attorneys for the plaintiff and defendant.

An asbestos settlement can also be reached as part of a class action lawsuit. A class action lawsuit is filed when several people experience asbestosis due to chronic, unprotected asbestos exposure. These workers can join together to offset the costs of legal representation. It is important to know that a class action lawsuit, if successful, will result in an asbestos settlement that all plaintiffs must split. Class action lawsuits also often receive more press than if an asbestos settlement is reached for a single plaintiff. A company facing an asbestos-related lawsuit will generally prefer to avoid this type of negative publicity. An asbestos settlement is often reached before a lawsuit goes to court.

This asbestos settlement should cover expenses incurred due to asbestosis, including medical care, pain and suffering, wrongful death, and punitive damages if the defendant is found to be recklessly negligent. Your attorney, who specializes in asbestos settlement cases, will guide you through the process to make sure you receive the compensation to which you are entitled.

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About the Author

Nick Johnson is lead counsel with Johnson Law Group. Johnson represents plaintiffs in many states and focuses on injury cases involving Fen-Phen and PPH, Paxil, Mesothelioma and Nursing Home Abuse. Call 1-888-311-5522 today or visit <http://www.johnsonlawgroup.com> for a free case evaluation.