

Borel was exposed to asbestos from 1936 through 1969 while working with various insulation materials. In 1963, Borel received an X-ray showing damage to his lungs from asbestos. His doctor advised him to avoid asbestos dust immediately to reduce further complications. In 1969, a lung biopsy revealed pulmonary Asbestosis. Borel had to get a lung removed from other complications because of mesothelioma, a form of lung cancer caused by Asbestosis. Shortly after that, Borel died from medical complications.

His heirs had fought litigation from the 11 total asbestos companies Borel had been exposed to. Four settled, one dismissed, and six left, with one of them being Fibreboard Paper Products. As a result, Borel's heir sued Fibreboard Paper Products for **\$1,000,000** and liability for the complications Borel underwent. The jury found FibreBoard liable for the damages in the amount of **\$79,436** under strict liability, and FibreBoard appealed. The ruling is a critical decision in asbestos litigation in the United States.

The legal question at hand is how are companies with cases of asbestos exposure handled and what punishment is appropriate. It was ruled that the "manufacturer is bound to keep abreast of scientific knowledge about the product and to issue warnings about the possible harm that might come to people who use the product" (TSHA). Since FibreBoard did not warn of the potential harm, medical complications arising from asbestos, FibreBoard was liable under strict liability.

The court held the previous verdict against FibreBoard. However, the amount was reduced down from **\$79,436 to \$58,534**. The fine was reduced since Borel had previously received a **\$20,000** settlement from a lawsuit. The court's reasoning to keep the ruling was because FibreBoard did not give warnings or appropriate safety precautions necessary for employees working with asbestos.

Under these circumstances, The court ruled that companies are liable for damages caused To people under strict liability. A landmark case that sparked numerous author lawsuits with people who suffered similar complications due to asbestos exposure.

“Borel v. Fibreboard Paper Products Corporation.” *TSHA*,

www.tshaonline.org/handbook/entries/borel-v-fibreboard-paper-products-corporation.