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\$15 million awarded in toxic waste suit

Radiation brought on cancer, jury says

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By Gwen Filosa **Staff writer**

An Orleans Parish jury this week ordered a company to pay \$15 million in damages to the family of a New Orleans man who died of lung cancer, finding that mishandling of toxic waste at a now-defunct Harvey pipe yard contributed to his death.

After about two days of deliberations and a 2 ½-week trial, the jury found in favor of the widow and seven children of Lee Dell Craft Sr., who died after working 30 years for the contractor Intracoastal Tubular Services Inc., a pipe-cleaning company.

"During that time, the pipe yard was receiving used oil field pipes contaminated with radium," said attorney Michael Stag, who represented Frances Craft and her children. "Workers were exposed to the radiation coming off the pipes."

Craft died at age 60 in 1986, two years after doctors diagnosed him with lung cancer. He had also been a heavy cigarette smoker, smoking two packs a day for decades, his doctor said in an earlier deposition, according to court documents.

The pipe yard, on Peters Road near the Harvey Canal, went out of business in 1992. Craft's family didn't file the lawsuit until 1997 because "the pipe yard and the oil companies suppressed the truth about" the radiation exposure, according to Stag.

The jury reached its verdict Wednesday. In 2001, another Orleans Parish jury delivered a landmark \$1 billion judgment against Exxon Mobil Corp. for contaminating land in Harvey that was owned by the family of former Jefferson Parish state District Judge Joseph Grefer. An appeals court last month upheld the verdict but cut the award to \$112 million.

Exxon and other oil companies originally were sued, along with Intracoastal, by the family. All of the oil companies were dismissed from the lawsuit, filed in Orleans Parish Civil District Court.

Hundreds of similar lawsuits are pending against Intracoastal and oil companies over the radiation claims, Stag said. His law firm of Smith and Stag has trial dates in July and September for claims by two other former pipe yard workers who died of cancer. Intracoastal challenged the charges in the Craft lawsuit and denied responsibility for his death. Both sides presented medical experts and radiation health physicists at trial before Chief Judge Ethel Julien.