

Anna M. DiLonardo

Office Managing Attorney

Co-Chair, Asbestos & Mass Tort Litigation

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Anna DiLonardo is a member of the Asbestos Litigation Practice and a former member of the firm's Board of Directors. Her practice is devoted primarily to the defense of companies in asbestos litigation, and she has appeared in both state and federal courts throughout the state of New York. She has extensive trial experience and has tried a multitude of cases on behalf of a vast array of companies over the past twenty years.

Anna has represented both large and small companies. These companies have run the gamut from manufacturers of asbestos-containing materials to small supply houses to premises owners. While Anna has extensive experience in the courtroom, negotiating a settlement is often the most economical way to resolve a dispute. She is well respected as a litigator and her skills as a negotiator are often sought to help resolve cases for clients throughout the country.

Her long tenure in the New York asbestos litigation has given her considerable insight and experience. She has served on numerous committees and acts as a liaison counsel to the court and Special Master. Her assistance is often sought to help negotiate general litigation procedures with plaintiff counsel. She was a founding member of the Medical Defense Group in New York County and continues as a member of this advisory group. In addition, she was appointed to the Case Management Committee and has been involved in the drafting of the Case Management Order for New York County. These positions, as liaison and in her service on committees, has allowed her to be at the forefront of decisions by the court and Special Master with regard to issues ranging from the amendments to the Case Management Order to setting cases for trial.

Anna has lectured and written extensively on various topics in the asbestos arena and her counsel is often sought with regard to the handling and history of the active docket in New York.

Practices

- Asbestos & Mass Tort Litigation

Education

- University of Cincinnati College of Law (J.D., 1988)
- University of Cincinnati (B.B.A., 1985)

Admissions

- New York, 1995
- U.S. District Court Eastern District of New York, 1995
- U.S. District Court Southern District of New York, 1995
- U.S. District Court Northern District of New York, 1995

Associations & Memberships

- Medical Defense Group, New York County (Case Management Committee)

Significant Representative Matters

- Obtained a unanimous defense verdict after a nine week trial in Suffolk County, New York, where the plaintiff's counsel requested that the jury award \$40 million in damages. The plaintiff was 51 years old when she was diagnosed with peritoneal mesothelioma allegedly as a result of being exposed to asbestos containing joint compound manufactured and sold by our client. Plaintiff who was 56 at the time of trial, testified that she had little or no knowledge of ever being exposed to asbestos. However, her older sister, who served as the only product identification witness at trial, testified that she recalled that their father used asbestos containing joint compound on two occasions, approximately fifty years ago when he repaired their home after a fire in 1970 and when he built a home in Florida around 1975. Plaintiff was five and ten years old respectively during the alleged exposures and plaintiff's sister was seven years older. Plaintiff's sister testified that she had a vivid memory of her father using six different joint compounds during the two projects, including our client's product. She also testified that the plaintiff was present hundreds of times when their father mixed, applied and sanded the joint compound. At trial, we called an industrial hygienist, a toxicologist and an epidemiologist who testified that the type of asbestos fiber used in our client's joint compound did not cause or contribute to her mesothelioma, because the fibers are too short and do not cause disease. Our epidemiologist testified that plaintiff's mesothelioma developed spontaneously and was not the result of asbestos exposure. We also called a construction expert, who testified that the sister's testimony regarding the amount of joint compound used and the time the sister was exposed were excessive. The jury deliberated an hour before returning the verdict. Post-trial comments from jurors indicated they did not find the sister to be credible.

Results

After Nine-Week Trial, Unanimous Defense Verdict in Asbestos Case Where \$40 Million in Damages Had Been Sought

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The plaintiff was 51 years old when she was diagnosed with peritoneal mesothelioma, allegedly as a result of being exposed to asbestos-containing joint compound manufactured and sold by our client. The plaintiff, who was 56 at the time of trial, testified that she had little or no knowledge of ever being exposed to asbestos. However, her older sister, who served as the only product identification witness at trial, testified that she recalled that their father used asbestos-containing joint compound on two occasions, approximately 50 years ago, when he repaired their home after a fire in 1970 and when he built a home in Florida around 1975. The plaintiff was five years old during the alleged exposures, and her sister was seven years older. The plaintiff's sister testified that she had a vivid memory of her father using six different joint compounds during the two projects, including our client's product. She also testified that the plaintiff was present hundreds of times when their father mixed, applied and sanded the joint compound. At trial, we called an industrial hygienist, a toxicologist and an epidemiologist, who testified that the type of asbestos fiber used in our client's joint compound did not cause or contribute to her mesothelioma because the fibers are too short and do not cause disease. Our epidemiologist testified that the plaintiff's mesothelioma developed spontaneously and was not the result of asbestos exposure. We also called a construction expert, who testified that the sister's testimony regarding the amount of joint compound used and the time the sister was exposed were excessive. The jury deliberated an hour before returning the verdict. Post-trial comments from jurors indicated they did not find the sister to be credible.

Thought Leadership

September 1, 2021

On the Pulse...Our Long Island, New York Office