

The background of the entire slide is a close-up, slightly blurred image of the American flag, showing the stars and stripes in detail. The flag is waving, creating a sense of movement and patriotism.

VINSON LAW, P.A.

100 Questions and Answers about Asbestos Claims

Thank you for your Service!

Asbestosis

1. Question. What is asbestosis?

Answer. Asbestosis is the scarring of the lung tissue from asbestos fibers breathed in long ago.

2. Q. Are asbestos diseases preventable?

A. 100% -- if the asbestos was not put in the product, or the proper precautions were taken, then no one would likely ever contract asbestos diseases.

Pleural Plaques

3. Q. I have been diagnosed with pleural plaques, calcifications, or thickening – is that the same as asbestosis?

A. No, those are diseases of the pleura – the space surrounding the lung. When pleural disease is severe it can cause breathing problems like asbestosis.



Asbestos - What is it?

4. Q. What is asbestos?

A. Asbestos is a mineral mined from the earth. It has incredible fire-resistant properties as well as tensile strength, and so was used for insulation, gaskets, wallboard, brakes, and many other products.

5. Q. What are the main categories of asbestos products?

A. Insulating materials, industrial sealants (like rope packing / sheet gaskets), automotive friction products, & construction materials.

Asbestos and the Law

6. Q. Is asbestos banned?

A. Unfortunately, no. Asbestos is still used for some specialized industrial purposes, like in chemical plants.

7. Q. If asbestos is so harmful, why is it legal?

A. Most asbestos claims are based on 'failure to warn' – that is, that the manufacturer, supplier or seller knew or should have known it was dangerous and didn't warn workers. There was a mass public outcry in the 1980s about asbestos dangers, and so now most individuals know of asbestos' hazards.

Asbestos and the Law

8. Q. What is 'strict liability'?

A. Strict liability means that an asbestos company can be liable for harms their product cause, regardless of their conduct. The law is written this way in many states because the burden of dangerous products is better placed on the producer of the product than the end user, or consumer of them.



Asbestos on the Job

9. Q. What industries worked with asbestos?

A. Virtually anyone who broke a sweat as part of their job before 1980.

10. Q. Where was asbestos mined and milled?

A. Libby, Montana famously had a large asbestos mine, and many in that town became ill and died. The majority of asbestos used in the United States was from Quebec, Canada.

Asbestosis Diagnosis

11. Q. How is asbestosis diagnosed? Asbestosis is a lung disease, so a Chest X-Ray or CT Scan is the first step in diagnosing. If that is found, then an appropriate latency (at least ten years have elapsed since first asbestos exposure), and ruling out other likely causes are important.

12. Q. What are other likely causes? A. Other diseases cause some lung scarring, like emphysema from smoking, silicosis (sandblasting), black lung, and sarcoidosis. For that reason, a physician will want to take an occupational and respiratory illness history prior to diagnosing asbestosis.

13. Q. Can my deceased spouse be diagnosed with asbestosis?

A. Yes – with imaging, latency, and appropriate medical record review to rule out other likely causes.

14. Q. How do I know if I have Asbestosis?

A. Shortness of Breath When You Exert Yourself is the hallmark symptom. So, if you have trouble breathing when going up the stairs or walking to the mailbox, that could be the reason.

15. Q. Can you have asbestosis or pleural plaques without symptoms?

A. Yes, you can. In the early stages asbestosis and especially pleural plaques have no symptoms. That's why we require symptoms in the form of breathing difficulty before we represent an asbestosis or pleural disease client.

16. Q. Does asbestosis improve?

A. It does not – it either stays stable or gets worse. It is a progressive disease.

Latency

17. Q. How do I have asbestos injury now when I was exposed long ago?

A. Asbestos diseases take a long time to develop, at least ten years and sometimes 60 years or more. Doctors call this delayed development “latency”.

18. Q. What explains “latency”?

A. When the asbestos fibers enter your lungs, they oftentimes don't leave. They hook into or pierce the lung tissue, known as the parenchyma. The lungs try to heal themselves by continually forming scar tissue over the years, which eventually can make breathing difficult.

Imaging on Disc

19. Q. How is imaging used to diagnose asbestosis? A. Imaging of the chest, like an X-Ray or CT scan, is used by a radiologist or B-Reader to see the tiny scarring from asbestos.

20. Q. What is a B-Reader? A. A B-Reader is a physician certified by the National Institute of Safety and Health (“NIOSH”) to review X-Rays for the presence of asbestos scarring, called pneumoconiosis. These are seen as opacities – darkened spots – on the imaging.

21. Q. How does a B-Reader “grade” my X-Ray?

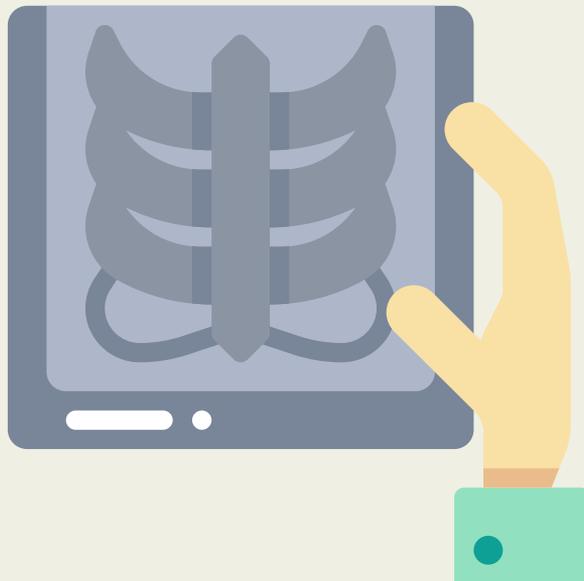
A. They use several “standard” films to compare your chest x-ray imaging. The goal is for this to standardize the results, although there remains some variability among B-Readers reviewing the same X-Rays.

22. Q. I’ve had several X-Rays and they’ve come back ‘clear’, but I still have breathing problems.

A. Oftentimes radiologists are looking for large, obvious problems like cancer or pneumonia, and are not looking for tiny scarring from asbestos.

23. Q. Why does a B-Reader review Chest X-Rays instead of CT scans?

A. The B-Reader program is an international one, and many areas of the world don't have access to CT scan equipment. Since they almost all have access to Chest X-Rays those are favored by the B-Reader program.



Asbestos exposure

24. Q. What products contained asbestos?

A. Asbestos was in thousands of products beginning in the industrial revolution – everything from insulation to gaskets, packing, electrical components, joint compound, brakes, clutches, and even baby powder.

25. Q. How did I get exposed?

A. Exposure occurs when asbestos dust went airborne – for example, when insulation was sawed, gaskets hammered, packing pulled, and brake dust blown out of wheel wells.

The Asbestos Industry Knew! and Didn't Warn

26. Q. Did the companies who made the asbestos products know it was dangerous?

A. **Yes, they knew** or should have known that asbestos was dangerous **all the way back in the 1930s.**



27. Q. If the producers of asbestos products knew asbestos was dangerous, why did they include it in so many products?

A. Safety was not a chief concern in the asbestos industry like it is with most companies today.

Unfortunately the asbestos industry profited greatly at the expense of unwitting workers and consumers. That is why there are claims to file and sometimes court cases to pursue.

28. Q. Why did the asbestos industry not inform workers?

A. They were more concerned about their bottom line than protecting workers. That is why you have the ability to recover compensation now.

V.A. Benefits

29. Q. Will an asbestos claim negatively affect my V.A. benefits?

A. No, Ben Vinson is V.A. certified to handle disability appeals. The Navy's worksite responsibility for your disease is handled through V.A. disability. The manufacturers and suppliers of the products that exposed you also have responsibility, and those are the claims Vinson Law handles.



We Never Sue the Navy

30. Q. I don't want to sue the Navy.

A. We do not and would never sue the Navy. The claims we file are with Asbestos Trusts set up to compensate those who have had exposure to asbestos products, and who now have difficulty breathing or cancers.



Asbestos Causes Cancer

31. Q. What types of cancers are compensable by the asbestos trusts?

A. Asbestos is either breathed in or swallowed. So, cancers of the mouth, throat, lungs, stomach, intestines and colon are compensable. Asbestos can also pierce tissue and migrate throughout the body. So, mesothelioma, a rare form of cancer afflicting the lining of the lung, abdomen, and heart (pericardial mesothelioma), is also compensable.

32. Q. Is mesothelioma caused by anything other than asbestos?

A. No.

33. Q. Can cancer be caused by or accompanied by asbestosis?

A. Unfortunately yes. Oftentimes our clients have cancer and also have “underlying” asbestosis.

34. Q. If I have lung cancer with underlying asbestosis, what are my claims worth?

A. \$150,000 after fees and costs is a modest estimate.

Asbestosis Claim Value

35. Q. How much is an asbestosis case worth?

A. They are typically worth tax free \$25,000 to \$110,000 after all fees and costs (depending on the severity of the illness) without filing a lawsuit.

36. Q. Is personal injury recovery tax-free?

A. Yes, unless your claims are for things like lost wages personal injury damages are tax-free.

Mesothelioma

37. Q. If I have mesothelioma, what are my claims worth?

A. Estimate of 1-2 million dollars before attorney's fees and costs.

38. Q. What are the symptoms of mesothelioma?

A. Severe shortness of breath, which typically shows up as fluid in the pleura – the space surrounding the lung. Pain in the chest or rib is common, as is coughing or fatigue. Nausea / loss of appetite is typical.

39. Q. What is mesothelioma curable? A. No.

40. Q. How is mesothelioma treated?

A. Like other cancers – radiation, chemotherapy and/or surgery.

41. Q. What is Mesothelioma’s prognosis?

A. 6-8 months is a typical survival time.

However, some live much longer than that. It is known to be uniformly fatal.

42. Q. I’ve been told if I don’t have mesothelioma, no one can help me. Is that true?

A. It is not. Most firms just want the huge cases – our specialty is taking the “smaller” but still serious cases like asbestosis.

Costs and Fees -- What are They?

43. Q. I don't want to pay anything out of pocket.

A. Our firm works on a contingency fee basis. What that means is that we charge a percentage of what we recover – no recovery = no cost to you.

44. Q. What is your fee?

A. Our fee is 1/3 of the recovery if no lawsuit is filed (like with the trust claims), and 40% maximum if we have to prosecute a lawsuit.

45. Q. How are case costs handled?

A. Costs are in addition to the attorney fee. We front all costs and none are charged unless recovery is made – then they are deducted from recovery.

46. Q. How much are the costs?

A. They vary. If there are trust claims filed only, then the costs are minimal. If we file suit the costs are more, but the recovery is potentially much higher too.

47. Q. How much will I take home by the end?

A. It is always our goal for our clients to take home more than the total of attorneys' fees plus costs. In other words, at least 50% of the gross.

How Much Money Do the Trusts Have?

48. Q. How much money is in the asbestos trusts?

A. Many billions of dollars, and new trusts are opening almost yearly.

49. Q. Do I have sue someone or go to court?

A. No, and going to court is not required.

Asbestos Trust Payment Percentages

50. Q. What is a payment percentage?

A. The asbestos trusts have an amount they “value” each claim, which is based on average settlements before the companies went bankrupt. Every trust’s goal is to pay out 100% of its money eventually, in such a way that everyone who applies with a compensable condition gets something. Because each trust has a limited amount of assets that is less than the value of past, present, and future claims, they reduce these standard amounts by a percentage which can vary over time.

51. Q. What are the actual payment percentages?

A. The payment percentages vary widely depending on how much is in a trust and how much the claims are valued. They average about 20%.

52. Q. What determines how much money is in a trust?

A. When each asbestos company declared bankruptcy, it typically had a lot of assets but oftentimes thousands of lawsuits from asbestos exposure.

Length of Process

53. Q. What happens if I die before I get the money?

A. Whoever you designate in your will gets the compensation that comes in after you pass.

54. Q. How long will this process take?

A. As an estimate, you'll get a check every month or two for a couple years.



Getting to Know Us

55. Q. How did you find my information?

A. Muster rolls from your time in the Navy, or cruise books that your fellow shipmates put online.

56. Q. How can you represent me from Tampa?

A. We don't have to practice in the states where the trust claims are filed in order to do so. If your case requires a lawsuit, we'd associate with a firm in that state to make sure we're compliant with local rules and regulations.

57. Q. What makes your firm special?

A. Our firm primarily helps veterans with their asbestos claims. We believe helping veterans is a great way to make a living. Just last year our veteran clients made over ten million dollars.

We also had a two million dollar trial verdict for a machinist mate who served on a WW2-era destroyer in the late 50s and early 60s.



Smoking!

58. Q. Does asbestos cause lung cancer even if I smoked?

A. Yes, asbestos causes lung cancer all on its own. It also works together with smoking to cause lung cancer even more than the cancer risk of the two combined. This is known as a “more than additive” effect. It’s also true with other respiratory cancers such as mouth and throat cancers.

59. Q. Is mesothelioma caused by smoking?

A. No. Mesothelioma is cancer of the lining of the lung and other various organs – not the inside of the lung like with lung cancer.

Go it Alone?

60. Q. Can I handle my asbestos trust claims on my own?

A. You can; however, the trust claims process is very challenging for a person who is representing themselves.

61. Q. Can I handle an asbestos lawsuit on my own?

A. Yes, you can. However, the laws can be challenging to understand and comply.

Asbestos and the Navy

62. Q. Which Navy ratings were most at risk for asbestos exposure, and now asbestos disease?

A. Machinist Mates and Boiler Tenders.

63. Q. Did the Navy know asbestos was dangerous?

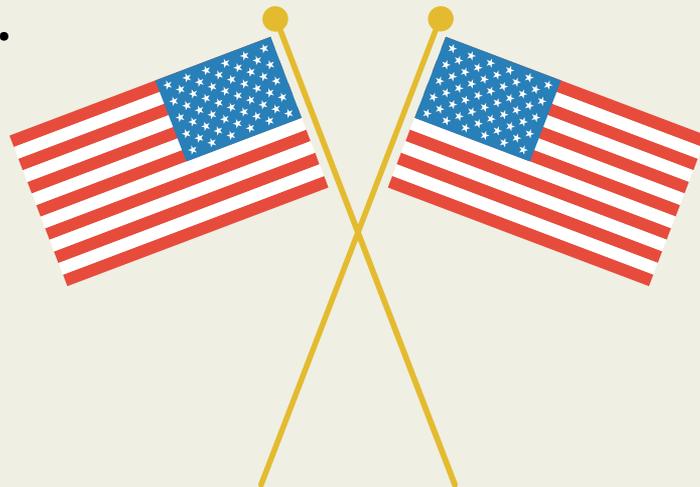
A. There is some evidence that some people in the Navy knew asbestos was dangerous. There is also evidence the Navy required suppliers to warn of hazardous dusts, including asbestos.

64. Q. Why do you focus on Navy veterans?

A. Sadly, 1/3 of the victims of asbestos-related disease were and are Navy veterans.

65. Q. Why are Navy veterans especially vulnerable to asbestos disease?

A. Because Machinist Mates and Boiler Tenders worked in confined spaces below deck for hours on end, and so the concentrations they breathed were much higher than those working similar jobs outdoors.



Asbestosis is Incurable, Afflicts Only Some

66. Q. Is Asbestosis curable? A. No.

67. Q. Why do some people get asbestos diseases and others don't, even when they had both had exposure to asbestos?

A. Just like any disease, some are more susceptible to getting it than others based on our genes.

68. Q. So multiple people can do the same work and only a few get sick years later? A. Yes.

Exposure from Others

69. Q. Can I have been exposed to asbestos from someone else's work?

A. Yes, this is known as "bystander exposure". Even if you were simply working around others whose work was generating asbestos dust, that can cause exposure and disease.

70. Q. Can I have been exposed by a family member or loved one's work?

A. Yes, if their work created asbestos dust that became entrained in their clothing, and then you did their laundry that could cause exposure and disease. Even things like hugs over the years, or repeatedly vacuuming the carpet after the person has been in the room have been known to cause it.

Biopsy?

71. Q. How do I know if I have mesothelioma or other cancer?

A. The only way to find out is a biopsy of the affected area.

72. Q. What is a biopsy?

A. A biopsy is where a doctor takes a piece of tissue from the affected area. Then, another doctor called a pathologist looks at the tissue under a microscope and makes a diagnosis.

73. Q. Why is a biopsy important?

A. It's the only way to find out whether a tumor is benign or malignant, what type of cancer it is, and where it originated.

74. Q. When should I get a biopsy?

A. Whenever your doctor recommends it. We suggest anyone with asbestos exposure get a chest x-ray screening for cancer at least once a year – early detection is a key to successful cancer treatment.

Free Consultation, Lawsuit?

75. Q. What is a free consultation? A. That means you can call our firm and speak to one of our attorneys about your legal rights without any payment whatsoever.

76. Q. I know a lawsuit is not required -- If I want to file one, what are the types of recovery available to me and my family? A. Medical costs (and medical bill reimbursement), home care costs, pain and suffering, emotional distress, and loss of spousal companionship are a few.

What Records do you Need?

77. Q. What records do you need to find out if I qualify for compensation for asbestosis?

A. Images on CD of a Chest X-Ray (a CT Scan of the Chest can be helpful too), Breathing Test Report (Pulmonary Function Test), and any other prior asbestos-related medical records can be helpful as well.

78. Q. What records do you need to find out if I qualify for compensation for cancer including mesothelioma?

A. Pathology Report, as well as Images on CD of a CT Scan of the Chest, or a Chest X-Ray.

Records Part 2

79. Q. Where do I mail my records?

A. Send them to us at Vinson Law, 5505 W. Gray St., Tampa, FL, 33609.

80. Q. Will my records be kept confidential?

A. Yes, any records given us in anticipation of potential representation are kept confidential just like client files.

81. Q. Do I get my records back if I do not qualify?

A. Yes, your file and anything in it is yours to keep. We are required by law to keep a copy of client files for five years as well.

How Much Does it Cost for Me to Get Screened to See if I Qualify for Compensation?

82. Q. How much does screening cost?

A. It is free of charge to you. If your case qualifies for compensation, it will be deducted from any future settlement you receive.

"PFT" -

Pulmonary Function Test

83. Q. What is a Pulmonary Function Test ("P.F.T.")?

A. It's a test where you breathe into different tubes and your breathing ability is measured.

84. Q. Is a Pulmonary Function Test difficult?

A. It can be, but it's important you give your best effort.

More on PFTs

85. Q. How long does a Pulmonary Function Test take?

A. About half an hour depending on which subtests the technician administers.

86. Q. Who interprets a Pulmonary Function Test?

A. A pulmonologist interprets a P.F.T. However, we are able to tell from simply looking at the results whether or not your pulmonary function test qualifies based on the asbestos trust's parameters.

What will process be like?

87. Q. How long will this process take?

A. About two years. We will do our best to do the work, and minimize the amount of effort on your part needed to prosecute your claims.

88. Q. Who is my point of contact?

A. Anyone in the office should be able to attempt to answer your questions, because we take notes and keep them in our recordkeeping system. However, if the question is more specialized, another staff member may be brought in to help. Finally, if you'd like to speak to your attorney or don't feel like your question is being answered -- you are of course welcome to ask for them specifically.

Referrals OK?

89. Q. What if I know other coworkers who were exposed to asbestos?

A. You are welcome to ask them if they are looking for legal advice, and if so refer them to us. We are happy to provide them a free consultation as well.



Vinson Law Jury Trials

90. Q. How many cases has your firm tried in front of a jury?

A. We have tried six cases, two of which resulted in multi-million dollar verdicts, one was a six-figure verdict, and only one was a defense verdict with no recovery for our client. However, in that case we did obtain a positive recovery for the client based on settlements with other defendants before the trial.

Vinson Law

Important Details

91. Q. How long have you all been in business?

A. Ben started the firm in 2012.

92. Q. How many people work for the firm?

A. About 30.

93. Q. How many attorneys work there?

A. 6

Mission of Vinson Law

94. Q. What is your mission?

A. Our mission is to make whole those who have had their health, livelihood, & emotional well-being taken from them by a personal injury. We listen and then we fight. We feel honored to represent our clients when they need us the most, and we work diligently & aggressively to make sure they obtain all possible justice under the law.

Tell Me More About Vinson Law...

95. Q. How many clients have you helped total?

A. Over 1000. We obtained your information from the same place we obtained theirs, muster rolls.

96. Q. Ben Vinson looks young. How old is he?

A. He was born in 1980!

The logo for Super Lawyers, featuring the text "Super Lawyers" in white on an orange square background.

Super
Lawyers®



Visible Asbestos = Danger?

97. Q. Can you see single asbestos fibers?

A. No. If asbestos is visible, that means it's present in massive quantities. It doesn't even have to be visible to be dangerous.

98. Q. Are only some types of asbestos dangerous?

A. No, they're all dangerous. While there is some evidence some types of asbestos are more harmful than others, they all cause asbestosis and cancer.

Claims We Handle

99. Q. If I was exposed to asbestos and have no symptoms, can I recover compensation?

A. Unfortunately no, our firm only handles cases for clients that are currently experiencing symptoms. If you don't have any we hope you never do.

100. Q. If mesothelioma is so rare, even among those exposed to asbestos, why are there so many mesothelioma commercials?

A. Most firms want only the million-dollar cases. Our firm is unique in that we handle ***all types of asbestos injuries.***