



The Voice

And The Defense Wins

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Michael James Crist, a partner at **DLD Lawyers** in Fort Lauderdale, Florida, successfully argued a motion for summary judgment in a Virginia mesothelioma case, in which the plaintiff claimed exposure to crocidolite (asbestos) products allegedly sold or distributed by the defendants in 1973. The defense pursued several avenues, including the location and deposition of multiple coworkers, the examination of construction records, and collection and analysis of corporate records from multiple sources.

Ultimately, it was the latter that proved most effective at the motion stage. Through an extended analysis of over 60 years of mergers, acquisitions, asset sales, names changes, and corporate transactions, Mr. Crist was able to establish through both direct and secondary sources that the defendant bore no legal responsibility for actions of the company identified in depositions. To untangle the corporate web of historical transactions, thousands of pages of ancient records were summarized, referenced, and explained in a graphic manner. One expanded chart showed every corporate transaction, its evidentiary basis, and its legal effect on the transfer of liabilities. The second chart streamlined and simplified the first chart, showing just the resulting lines of corporate succession and liability. The combination of charts helped to make the confounding, clear, and the complex, simple.

This victory followed his successful arguments before the Georgia Court of Appeals (*Fletcher v. Water Applications*) on an issue of first impression in a take-home asbestos case.

Michael Crist is a member of DRI and its Product Liability Committee. He is a partner at DLD in Florida, but handles cases nationally for multiple clients in asbestos, product liability, and general litigation matters.

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