

## Leading Litigators

Thornton Law Firm LLP  
Attorneys at Law



Andrew S. Wainwright manages Thornton Law Firm's asbestos mesothelioma law practice. He was the firm's trial counsel for the Ross and Sylvestre mesothelioma verdicts, the second and third highest verdicts in Massachusetts in 2017.

**Q: Describe your practice. Who is your typical client?**

**A:** Our typical clients have changed over the course of time. Traditionally, our clients came from shipyards — there are two particularly large shipyards in Eastern Massachusetts that were active from World War II into the 1980s — or the building trades, such as boilermakers, pipefitters, laborers, carpenters or others in industrial settings. We recently had a successful trial verdict for a man who spent all of his career working in a power plant. However, because asbestos was phased out of use in the mid 70s, many of our newer clients are younger. Another recent trial was for a man who had been exposed while working with asbestos insulation as a teenager. Although the rate of mesothelioma has remained relatively steady, we are seeing an increase in mesothelioma cases suffered by family members exposed to asbestos dust from the clothing of the workers, those exposed through home renovations, and those exposed through products not normally thought of as containing asbestos, like talc, plastics used in the electrical industry, paints, and fertilizers. Others were exposed to asbestos because they used defective masks or respirators.

**Q: New medical advances are reported every day. Are there developments that have made it easier or harder for you to pursue cases?**

**A:** Within the last couple of decades, microscopy has advanced to the point that high-powered electron microscopes can be used to identify the particular type of

fiber that has been embedded in an individual's lung tissue. In certain instances, this can help identify the type of exposure that could have contributed to an individual's mesothelioma. Medical advances have also improved treatment for our clients, which has offered them better quality of life and longevity.

**Q: What do you see as the most important development in personal injury practice over the last five years?**

**A:** The relatively recent legislation that has permitted attorney-conducted voir dire in trial is one of the most positive advances in personal injury litigation in years.

**Q: What challenges to the practice do you foresee going forward?**

**A:** Asbestos litigation does face a few distinct challenges. As I said earlier, in every case we take on the task of identifying the specific, unique asbestos exposures of individuals who have developed mesothelioma. And an ongoing problem we've dealt with since Johns-Manville declared

**Q: What trends do you see as most likely to lead to substantive change in the legal profession?**

**A:** In our practice, we try to make ourselves as accessible to clients as possible. We've always endeavored to keep our clients as informed as possible and be as responsive as we can, but technology now permits increased efficiency in communication.

**Q: What advice do you have for new lawyers hoping to focus on a personal injury practice?**

**A:** Get into court as much as you can. Take depositions, argue motions and get in front of a judge as often as possible. There is no substitute for experience.

**Q: The local legal community is well known for its commitment to "giving back." What does your firm do that you are most proud of?**

**A:** We are long-time financial supporters of Brigham and Women's Hospital's International Mesothelioma Program. In addi-



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LAW FIRM LLP

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bankruptcy in 1982 is the large number of asbestos corporations that have chosen the Chapter 11 avenue in order to manage their asbestos liabilities. In addition, there is a Supreme Judicial Court case generally referred to as the Boston Gas decision [*Boston Gas Co. v. Century Indemnity Co.*, 454 Mass. 337 (2009)] that has been applied to asbestos cases in Massachusetts, which has the potential for really limiting access to full insurance coverage in liability claims against these companies in the asbestos context.

**Q: How is technology changing the practice of law?**

**A:** The ability to digitize massive amounts of data such as medical records and other discovery documents has had a hugely positive effect on the practice of law for both plaintiffs and defendants. When we conduct discovery against a major corporation, we ask them for historical documents related to their products and the use of asbestos over the course of the 20th century, which is a massive production. Instead of getting paper banker's boxes, being able to manage huge amounts of information electronically — and being able to search those records — has been really powerful.

tion, we help provide housing assistance to mesothelioma and cancer patients and their loved ones at The Thornton House, located at 48 Francis Street in Boston, Massachusetts. It's been open for 10 years, directly across the street from Brigham and Women's Hospital. The house has been a "home-away-from-home" for hundreds of mesothelioma patients and their family members, providing inexpensive, convenient housing for patients and families that come to Boston for longer-term treatment and care.

### PRACTICE AREAS

- MESOTHELIOMA AND ASBESTOS
- FALSE CLAIMS ACT AND FRAUD
- DRUGS AND MEDICAL DEVICES
- TOXIC TORTS
- PERSONAL INJURY
- BIRTH DEFECTS

### OFFICE LOCATION

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