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At Feb. 12 Florida Fundraiser for Cancer Research

Weitz & Luxenberg Lawyer at Risk for Mesothelioma Hopes His Story will Inspire Other Asbestos Victims

JAN. 27, 2012 – A hip condition will prevent him from running in a Feb. 12 Florida race to raise funds for asbestos cancer research. But that won't stop Kevin Mulderig from at least walking the route.

His walk will see him symbolically step into the shoes of asbestos exposure victims. For this occasion, those figurative shoes will only be borrowed. Someday, though, Mulderig could end up wearing victim shoes of his own if he himself develops the asbestos cancer known as mesothelioma.

It might well happen because Mulderig is at risk for mesothelioma.

“My clients have it; I could get it,” says Philadelphia-area resident Mulderig, 53, a mesothelioma lawyer with the law firm Weitz & Luxenberg. “Exposure to asbestos is the overwhelming, if not exclusive, cause of mesothelioma.”

It was while serving in the Navy during the early 1980s that Mulderig – then an ensign aboard the aircraft carrier USS Saratoga – suffered his potentially lethal brush with the toxic mineral.

“Saratoga was in dry dock at the Philadelphia Navy Yard to be retrofitted with modern technology,” says Mulderig, who supervised 600 crewmen assigned to help replace pipes and ducts on the lower decks. “Like everyone from the captain on down, I had no inkling that asbestos was dangerous stuff – until the day I happened to see an asbestos-insulated vent shaft being pulled down from the overhead.”

Toxic Dust Flew Everywhere

Shipyards civilian personnel had sealed off that work area with a protective curtain of plastic sheeting, Mulderig explains. As the vent shaft was demolished, clouds of asbestos dust billowed in all directions. The enclosure was meant to contain the dust, but failed.

Says Mulderig, "The stuff spilled out over the top and escaped through flaps in the sides. It ended up all over the place. There's no question that some of it got on me."

But four of his men got it worse. They were inside the enclosure – and wore no protective gear. That's when Mulderig noticed three civilians also within the enclosure. They were wearing bio-hazard moonsuits. "I asked them, why the outfits? They explained it was because asbestos is dangerous and can kill you."

Mulderig says he then promptly alerted his superiors. Bio-hazard suits were unavailable, so he and the crew members were instead supplied with goggles and filtration masks.

Mulderig wonders now whether those measures were adequate and if mesothelioma will be his fate. "It takes about 30 or 40 years for mesothelioma to show up after exposure to asbestos, so I guess I'll know soon enough," he says. "But if I do happen to develop it, there's currently nothing that medical science can do to stop it from killing me – death can only be delayed."

Not by long, though. "Most victims die less than a year after they're diagnosed," he says. "That's why on Feb. 12 we're going down to Florida where the race will be held – it's to raise awareness and to raise money for research that we hope leads to a cure, or at least a much longer mesothelioma life expectancy."

Represents Only Good Guys

Mulderig went to law school after leaving the Navy in 1983, and has been a practicing attorney now for 25 years.

He works in the Cherry Hill, N.J., office of Weitz & Luxenberg, a mass-torts and personal injury litigation law firm based in Manhattan that has secured more than \$6.5 billion in verdicts and settlements for its clients, many of them mesothelioma victims and their survivors (Erin Brockovich, the environmental-health crusader portrayed by Oscar-winning actress Julia Roberts in a 2000 motion picture, is affiliated with Weitz & Luxenberg and appears in the firm's television commercials).

Nearly all of the cases today handled by Mulderig involve former servicemen – Navy mainly – who suffered asbestos exposures that can be traced back to a tour of duty.

"It's a genuine privilege for me to take these cases," he says, "because I'm able to represent the good guys – and nobody but the good guys. That's what the victims of mesothelioma are. Good guys. Heroes. Every last one of them."