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Profile: Laurel Halbany

Asbestos lawyer battles a silent, invisible killer and its enablers

By **STEPHEN ELLISON**

There was no grand plan for Laurel Halbany to insert herself into a niche area of law where a product has caused tens of thousands of deaths every year for the past five decades. But helping victims who have been exposed to asbestos in the workplace requires far more than a mere law degree, and Halbany carries the necessary compassion and drive to make a real difference.

It may be hard for some to believe that in 2021 asbestos is still an issue in working America. But it is a silent, invisible killer known to cause a terminal cancer called mesothelioma. For her entire 15-year law career, Halbany has been answering the question of whether asbestos is still relevant. The answer, of course, is a definitive yes.

“Unfortunately, you know, there’s always some company that is going to cut corners or that behaved badly in the past,” she said. “It’s a ticking time bomb. Asbestos stopped being used in a lot of industry in the ’70s and ’80s, which was great. But now we’re seeing a lot of cases of the children of those workers who were exposed. Daddy would come home from the refinery in his coveralls and hug the kids and then go change, and he didn’t know he was coming home covered in asbestos fibers. And now the kids are getting sick.

“Also, for a long time, there was a disparity in rates between women getting mesothelioma and men getting it,” Halbany said, adding that the gap is closing. “These women aren’t changing car brakes, aren’t working in the refinery. So, how come they’re getting sick? Well, now we know it was because of baby powder.”

Halbany hasn’t been involved with the infamous Johnson & Johnson baby powder litigation, but her firm, Kazan



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Law, has handled some of those cases that have resulted in tens of millions of dollars in settlements and the company pulling its signature product from the shelves of U.S. stores.

Cases that do reach her desk typically are clients whose doctors have determined they have mesothelioma likely caused by asbestos exposure in the workplace. Her job, to put it succinctly, is to do the fighting, she said. While some of her opponents know their history, know what they’re liable for, Halbany said, others decide to take the denial route, telling themselves “stories” about how the kind of products they made weren’t dangerous, or the litigation is just a money grab. She is tasked with getting information from those companies about what they made, when they sold it or what they do with it.

“Quite a lot of my time is trying to force the defendants in these cases to own up to what they did,” she said.

A cancer that moves fast

The clients Halbany represents already have been diagnosed with mesothelioma, and it’s an incurable cancer that often moves swiftly. There have been some people who’ve been “very lucky” to survive a long time, but on average, the lapsed time from receiving a diagnosis to dying is about one year, she said. Inevitably, the diagnosis prompts a lot of questions, with one obvious inquiry: Did you ever work around asbestos? That’s essentially when the patient

realizes there’s something they can do for themselves and their families besides waiting for the end.

“You can get different kinds of cancer from all sorts of sources, but if you ask me, if you have (mesothelioma), almost certainly it’s because you or someone near you” had exposure to asbestos, Halbany said. “That’s when they come to us, because they want to know what happened, and the doctors can’t cure them. It’s a death sentence.”

Once Halbany and her team confirms a client does in fact have the disease, they talk to them about how they can help get them compensation to make their life a little more comfortable and to make sure their families are taken care of after they’re gone. “Which, honestly, is the thing that they’re usually most worried about, you know, what’s going to happen in my life, what’s going to happen to the kids when I’ve gone,” she said. “Many of our clients are blue collar workers who have been used to providing for their family or making sure they have a better life for their kids, and this is just a devastating disease. It’s physically and mentally terrifying. ... So, we’ll get the case, and then it’s pedal to the metal right away because this person is living on borrowed time.”

That process starts with going to the court to try to get a preference trial date set, then researching the information she has on the defendants, sending discovery to the defendants and getting them deposed to find out what products her client worked with and how much asbestos they had in them.

A plethora of information

And the companies know, she said. One of the key elements of asbestos cases that Halbany calls good and bad is asbestos was so prevalent for so long and there were so many companies involved



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in it, that attorneys have a plethora of information about who sold what and how much asbestos those products contained. Insurers defending those companies are just as educated.

“But it still needs to be dug up, depending on how hard they will fight to keep that under wraps,” she said. “Often, we are pushing that (information on them) so we can get to the point where either they will admit that they’re liable, and we can get some compensation for these folks, or if they’re not going to do that, we go to (trial) and get a jury to set things right.”

Motor City transplant

Halbany grew up in the Midwest and may have been influenced a bit by her mother’s return to law school during the 1970s, a time when it was difficult for women to be taken seriously in such a profession. The idea in those days was a woman at law school was taking a slot away from a man who needed it to provide for his family, and Halbany’s mother had to be twice as good to compete with her male colleagues.

“My mom really fought through that to get her law degree, and I think that probably inspired me,” she said.

After earning her bachelor’s degree at University of Michigan, Halbany attended Wayne State University Law School, a place she compared to Santa Clara University Law School in the Bay Area – a small but reputable program that lives in the shadows of nearby giants. Wayne State, in the city of Detroit, had a “fantastic” labor law program, with the Big Three auto manufacturers based in the area.

Taking seminars with practicing labor lawyers or learning from former directors of the National Labor Relations Board spurred her interest in labor law. But she made the same mistake a lot of young, idealistic lawyers make: She targeted environmental law, thinking she would be working for the good guys before realizing it wasn’t what she envisioned.

Soon thereafter, Halbany got married, moved out to the West Coast and took some time off to raise a family. She stayed home with her children for several years before returning to her career.

“I had moved halfway across the country, and labor is completely different out here,” she said. “It’s a lot of public sector in different environments, and I had been a stay-at-home mom for several years, so I was sort of trying to decide what to do next, taking temporary jobs and contract work.”

Helping victims, but the pay isn’t great

During one such contract, a document review job at one of the big law firms in Silicon Valley at the time, she happened to overhear a couple of first-year associates talking about how hard they worked and how many hours they put in. Then one of them mentioned a firm representing asbestos victims, saying it was really interesting, and they really helped people, only the pay wasn’t great.

“My ears kind of perked up, and I thought it sounded interesting,” Halbany said. “I had never heard of asbestos, but I thought helping people would be pretty cool. So, I looked at the firm and I sent off a resume and application. Then several months later, they got back to me and said, ‘Hey, would you be interested?’ And that’s where I got started in asbestos.”

Halbany was happy to be working and ecstatic about helping people in the process. Having been idle for a number of years and with little work history, she jumped at the opportunity to help a firm help families going through a horrific time in their lives. Though she said all her cases are memorable for that very reason, she recalled a client who she likely will never forget.

The case was in Santa Clara County several years ago, Halbany said, involving a man who had migrated to the U.S. with his family, legally, and supported them as

an auto body worker. The man ran a shop out of his garage and was supporting his wife, a child of his own, several stepchildren and other members of his family. In addition to his regular job, the man had been a member of a mariachi band and played every instrument at one time or another.

“He was just this amazing man,” she said. “At a time when he should have been retiring, he was dying of this disease. And one of the reasons I remember him, other than the fact he was such a sweet man, is when I went to help defend his deposition one day, one of the things he did when he was feeling better was little woodcarvings. And he handed me this little carving; it was just a nice thing to do as a little thank you. He was just that kind of person, you know. I never asked him for it. He was a person who paid attention to what other people around him did and tried to be a helper, a good example to them.

“We were able to get fair compensation for (his family),” Halbany added without disclosing any details about the defendant. “Oftentimes, what happens is when the facts come out and when the jury hears what (the defendants) did and why they did it, which was for money, it’s not gonna be good for them.”

Honeybees and networking

When she’s not working, Halbany likes to try her hand at different “intermittent” hobbies, with the latest being beekeeper. She started with one hive last year and worked her way up to three by the beginning of this year, and she believes that will be her limit.

“They’re just amazing, fascinating creatures, and everybody’s OK with them,” Halbany said. “They’re honeybees, so they’re usually pretty chill. People say, ‘Oh you’re saving the bees.’ Well, not really. I mean, saving the bees would be like native bees. This is more like having chickens. But it is nice; they’re just incredible.”

The one piece of advice Halbany would pass on to the next generation of



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lawyers is to not hesitate to seek advice. Find the most experienced or prolific colleagues, and bend their ear.

“Don’t ever be afraid to reach out to more senior attorneys,” she said. “We’re always told about networking, and that’s sort of scary and makes people think of cocktail parties, where you get to approach strangers and that kind of thing.

It really is just building relationships with senior people, and senior people are really for the most part, very excited to share what they know.

“Don’t try to go it alone,” she continued. “Get good advice. Look for mentors, look for other people who have been through it when you want to go through it. Just reach out to people. No

one is going to be mad that you said, ‘I’m interested in what you do, can you tell me more about it?’ Lawyers love to talk.”

Stephen Ellison is a freelance writer based in San Jose. Contact him at ssjellison@aol.com.

