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LANDMARK WIN ON ASBESTOS BRAKE PADS

A former Perth brake mechanic is the first Australian to win a successful verdict against the Ford Motor Company for exposure to asbestos through brake pads.

Antonino Lo Presti, 58, worked as a brake mechanic at Ford dealerships from 1970 to 1987. He was diagnosed in July 2001 with asbestosis and pleural disease, due to asbestos exposure.

The Supreme Court of WA today ruled in favour of Mr Lo Presti, ordering Ford to pay him \$840,000 in damages in addition to his legal costs.

Earlier he had told the Court that he inhaled asbestos when he used compressed air to blow out brake drums when brakes were serviced or changed. The brakes were usually Australian-made Ford brakes. During the entire period he worked in workshops without mechanical ventilation. No masks or warnings were given to staff. Even at workshops Ford held for mechanics, no warnings were provided.

Mr Lo Presti now spends up to 24 hours a day on oxygen and cannot provide for his family. His wife Connie does all the cooking and cleaning, cares for him, and has to work extra hours.

"The asbestosis has ruined my life. I can now only walk short distances and my breathlessness is getting worse. I find it very upsetting that I can no longer provide for my own family," Mr Lo Presti said.

His lawyer, Michael Magazanik from the Perth office of law firm Slater & Gordon says Mr Lo Presti's victory may make it easier for other asbestos victims who worked in the automotive industry.

"This win is a tribute to Mr Lo Presti's unwavering determination over the last five years to fight hard for his family – and to the 25-year campaign by Robert Vojakovic and the Asbestos Diseases Society of Australia.

"The judgment underlines the fact that even though Ford Australia knew that asbestos was potentially deadly it failed miserably in its duty to warn mechanics like Mr Lo Presti who were exposed to the asbestos on a daily basis.

"Ford's lawyers told the Court that no claim like this against a car manufacturer had ever succeeded anywhere in world. However Mr Lo Presti's success will give heart to other mechanics whose health has suffered after being negligently exposed to asbestos in brake pads."

Today's judgement is the latest in a long series of asbestos firsts for the national law firm Slater & Gordon. Slater & Gordon won the historic first cases for Wittenoom asbestos miners and Australian waterside workers. Both cases led to hundreds of others being compensated.

The firm also achieved the first successful claim against the Commonwealth of Australia; the first successful claim against the Australian Naval Dockyards; the first damages claim against James Hardie & Coy Pty Ltd; and successfully lobbied State Governments to allow claims for pain and suffering – often the largest component of damages – to survive after the victim's death.

- The use of asbestos in Australia – including in brake pads – was banned by the Commonwealth Government from December 31 2003. But the death toll from asbestos continues to rise, with a peak expected in 2020.

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