

Woman's \$2.9 million award upheld by court

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A \$2.9 million damage award to a Des Moines woman who linked her husband's death to his exposure to asbestos was upheld Wednesday by the Iowa Supreme Court.

The amount, including \$1.4 million actual damages and \$1.5 million punitive damages, had been granted by a Polk County jury to Marilyn Spaur, who had sued Owens-Corning Fiberglas Corp.

Spaur's late husband, Robert, was a \$25,000-a-year employee of Iowa Power at a plant in Des Moines. He had worked around boilers and turbines that were insulated with asbestos-containing products from Owens-Corning,

court records say.

"Asbestos dust readily drifted or was blown throughout the plant," said the court.

INSIDE

■ More high court rulings.

Page 6M

Spaur was 62 when he died in 1992 of a form of lung cancer.

The company appealed the award on several grounds and contended the death wasn't necessarily caused by the asbestos.

Said the court, in an opinion written by Justice James Andreasen, "Applying the substantial factor test for proximate cause, we find sufficient evidence in the record to raise a reasonable inference of Spaur's exposure to (Owens-Corning products) and that such exposure was a substantial factor in his disease."