

# Asbestos **claim overview**

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## GET EXPERIENCE ON YOUR SIDE

Slater and Gordon is Australia's leading asbestos litigation firm. Our specialised team have over 35 years experience in asbestos litigation, providing you with an expert, personalised service for the best result. We have acted for more than 2,500 mesothelioma sufferers during the past 35 years and many others suffering from asbestos related lung cancer and asbestosis.

We'll come to you, to hear your story and together agree the best way forward, for you.

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## WHAT AM I UP FOR? THE PROCESS AND PRICING

Your case is unique. However, here is an outline of the process, the work to be done for you and the likely fees.

If you've been exposed to asbestos and you suffer from an asbestos related disease, you can bring a claim.

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## THE DUST DISEASES AUTHORITY (DDA) AND DUST DISEASE TRIBUNAL

If you were **an employee** and exposed to asbestos during your work in NSW, you can make a statutory claim through **icare, Dust Diseases Care (icare)** and a claim for lump sum damages through the **Dust Disease Tribunal**. icare provides a fortnightly payment, medical expenses and ongoing support. At the same time, you can bring your claim to the Dust Disease Tribunal for compensation.

If you were exposed in a non-occupational way such as a home renovation or washing work clothes and were **not an employee**, your claim will be resolved by the court. The **Dust Diseases Tribunal** is the specialised court in NSW which deals with these claims. If you are successful, you will be eligible for a lump sum compensation payment.

**CLAIMS PROCESS**

**PROCESS**



**Employment  
Related Exposure**



**Non-Employment  
Related Exposure**

**STATUTORY CLAIM**  
icare, Dust Diseases Care  
(Fortnightly Payment and  
Medical Expenses)



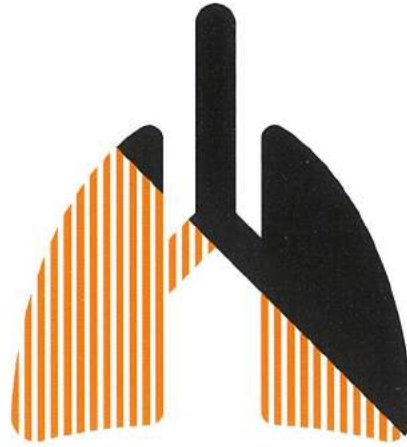
**COURT**  
Dust Disease Tribunal  
(Lump Sum Payment)

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## HOW LONG WILL IT TAKE?

Usually, claims involving asbestos-caused cancers such as **malignant** mesothelioma take only months to resolve. If need be, an asbestos claim can be resolved within weeks, or days-for those involving malignant mesothelioma.

Claims for **non-malignant** asbestos-related conditions can take a little longer.



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## TYPICALLY 99% OF CASES ARE RESOLVED OUT OF COURT AT MEDIATION

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### HELPING TO LOOK AFTER YOU AND YOUR FAMILY

Asbestos claims can be complex. We'll guide you through the process and work with you to get a resolution as quickly as possible so you and your family can concentrate on your health.

**Q Do I have to pay anything upfront?**

Our No Win No Fee policy means if we take on your case we'll cover everything, all our time and expenses, specialists reports etc. and we will only bill you upon the successful settlement of your claim. When we do, it'll be on the fixed fee basis you agreed to and are expecting, so there are no surprises.

**Q Do you take a percentage of my settlement?**

No. We don't take a percentage of any settlement fees and no law firm in Australia should.

We recognise that our clients and their families can experience many emotional challenges during their case.

Our **Social Work Services** were established in 2009 to provide short term help with the psychosocial issues our client or their family may face during their legal case.

This fully qualified team has extensive social work knowledge skills and experience gained in working in health services and community sectors.

Our social workers assistance is provided as a complement to our legal services – at no additional cost to Slater and Gordon clients.



## COSTS

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### NO WIN, NO FEES

We won't charge you until the claim is resolved. And, we'll only charge if you are successful in the claim so it's in our best interests if you win. We'll explain our No Win No Fee policy and conditions that apply.

In the unlikely event that a payout/settlement does not cover the fees and disbursements, we won't pursue you for the outstanding gap. We'll compromise your costs to ensure you have a lump sum and can't end up out of pocket.

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### DISBURSEMENTS

Disbursements (the legal jargon for expenses) are for those documents or services we need to buy to properly investigate and progress your claim to give you the best chance of success. These can include:

- + Clinical notes and reports from your doctors and other health providers, independent medical examinations and reports
- + Other reports, such as accountant and vocational assessments
- + Investigator services, expert witnesses and other services
- + Internal Special counsel, Barristers and Court fees

Slater and Gordon will not require you to make a payment of or contribution towards any of the disbursements incurred on your behalf. You will only be required to repay the disbursement from your settlement if your claim is successful.

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### RECOVERABLES

Now that you understand the likely costs, you'll be pleased to know that if you are successful in your claim, you will recover some of those costs from the defendant(s). These are what we call "recoverable".

Depending on how your claim progresses, the amount recoverable is typically around 65% to 85% of your costs in Court. So at the end of the day, the gap you pay for fees and disbursements is reduced, leaving you with more in your pocket.

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## FOR FURTHER INFORMATION

The Cancer Council Australia: [www.cancer.org.au](http://www.cancer.org.au)

As Australia's peak national non-government cancer control organisation, Cancer Council Australia advises the Australian Government and other bodies on practices and policies to help prevent, detect and treat cancer.

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## SOME QUESTIONS TO ASK BEFORE YOU DECIDE

- Q What can I expect if Slater and Gordon handle my Asbestos claim?
- Q What are the likely and possible outcomes?
- Q Can you give me a ballpark of my total bill?
- Q Is there a cooling off period?
- Q When will you bill me and how long will I have to pay?
- Q How long is the case likely to take?
- Q Will you be the lawyer looking after my claim?

# Questions

## LET OUR CLIENTS HAVE THE LAST WORD

*"To Joanne and all at Slater and Gordon who put so much effort into working on our behalf. It has eased my husband's mind to know that financially I am okay. Our biggest thank you to you all."*

JB

*"Thank you again for all your assistance over the past months. It has been and continues to be a difficult time but hopefully as time passes through, it will get better. While no one can take away the pain of our grief, the care and support that you have provided has helped a lot. Thank you and the best wishes to you and your journey. With appreciation."*

HN

*"Advising that my claim settlement is now complete. I have talked to my wife who has put up with me over the last three years. And I will have no hesitation recommending Slater and Gordon Lawyers and especially under lawyer, Joanne Wade, and her team. I am pleased it is all complete. I take this time to say I am very thankful to all of you and pleased it is all over."*

WW

*"Slater and Gordon are amazing. These people actually care and they go above and beyond for all their clients. I couldn't have got through a very difficult time in my life without all the support and care they have shown our family. Joanne Wade especially was exceptional. This lady knows her job and conducts herself in a very professional manner. She not only showed us compassion but really believed in us and got the job done swiftly and proficiently. I can't recommend Slater and Gordon highly enough 5 stars!"*

*"If you are looking for an asbestos claim lawyer in Sydney, I can highly recommend Joanne Wade and Nicole Valenti from Slater & Gordon. Apart from being so knowledgeable and experienced in handling asbestos related claims, they were extremely pleasant and professional in all my dealings with them. I was kept informed of the progress at all times and to say that I was happy with the outcome is an understatement. You will not be disappointed if you have these two lawyers working on your behalf."*

NM

DM

*"I have found this entire process which took approximately six months from start to finish, a seamless and efficient one. Nicole Valenti and her team were tireless in their efforts to get to the heart of the matter and present a solid and unbeatable case. Although it was conducted trans-Australia via phone calls and emails it all worked like a well-oiled machine and the team were respectful and considerate throughout. They are well deserving of our appreciation and thanks. Justice prevailed!"*

*"Hi Nicole, It's good to know that this matter has now come to a close. There is a long list of things I have been looking after and coordinating, so it will be nice to tick this off. It is hard to think it is nearly a year since my father started to feel unwell. I would like to personally thank you for guiding us through the process. Even though no amount of compensation will change what has happened, we have really appreciated all the work you and the team have done to maximise the final amount received. This will help provide some financial security for my family."*

JT

CT

*"She had so many cases that she had done so she knew what she was doing and, she put it in terms that you could understand and that was really important to me - because I didn't understand it and I didn't know anything about it"*

*"My first experience when I had this problem was with another firm. Who to me, were ambulance chasers and never left us alone. That's the feeling I had when I called Slater and Gordon- that they might have all been tarred with the one brush, but it was completely different with Slater and Gordon"*

RD

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**1800 555 777**  
**[slatergordon.com.au](http://slatergordon.com.au)**