Tooey's Trail of Trepidation: The Impact of the Tooey Decision on Asbestos-Related Claims against Employers

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It was a decision that would shake up asbestos litigation everywhere – or so it seemed. Following the Pennsylvania Supreme Court's decision in *Tooey v. AK Steel Corp.,* 623 Pa. 60 (2013), legal pundits predicted trouble for employers in asbestos cases. No longer would the Workers' Compensation bar protect them from claims by former employees with latent asbestos-related diseases. Rather, where the disease did not manifest until over 300 weeks after the employment end date, plaintiffs were free to sue their employers directly. Was this the beginning of a trend that would sweep the nation, some publications pondered? Would plaintiffs' attorneys try to extend this ruling beyond asbestos claims to other long-latency diseases? Was *Tooey* in fact “Not Just a Bunch of 'Hooey'”?

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