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March 28, 1979

RECEIVED
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LEGAL DEPARTMENT

Re: Roscoe McGuire v.
Johns-Manville Corp.

The Travelers Insurance Companies
One Tower Square
Hartford, Connecticut 06115

Attention: Mr. Robert N. Reuter

Gentlemen:

The above-captioned case is scheduled for trial before a jury in the United States District Court at Norfolk on August 6, 1979. Roscoe McGuire suffers from mesothelioma and is anticipated to survive through the trial date. He previously worked as a machinist at Newport News Shipbuilding and Drydock Company for 30 years until March 11, 1977 when his employment terminated. This action was filed on July 6, 1977 so that we are dealing with a period of asbestos exposure of approximately one and three-fourths years as far as the Virginia statute of limitations is concerned.

During this period, McGuire was principally exposed to Unibestos but also claims exposure to products of Johns-Manville, Philip Carey and Garlock. The Johns-Manville exposure is alleged to have been Superex, asbestos sheet packing and asbestos valve packing. We assume that the plaintiff will make out a jury case as to exposure within the relevant period as to at least four defendants.

Re: Roscoe McGuire v.
Johns-Manville Corp.

At the date of his retirement, McGuire was age 50 and was earning $16,300.00 per year. Lost wages until age 65 without considering either present value or inflation approximate $250,000.00. Plaintiff has incurred medical expenses of approximately $5,000.00.

We think this case presents a jury exposure of $250,000.00 upwards. There are strong defenses based upon equal knowledge of Newport News Shipbuilding as to hazards and upon the latency period under the Virginia statute of limitations. For this reason, we feel that this case has a settlement evaluation of approximately $125,000.00. It would seem that this figure should be borne equally by the four defendants involved which means a contribution by Johns-Manville in the range of $30,000.00.

Very truly yours,

SEAWELL, McCOY, DALTON, HUGHES, GORE & TIMMS

By: R. M. Hughes III

Robert M. Hughes, III

RMH/jw

cc: Dennis Markusson, Esq.
cc: Lively Wilson, Esq.